

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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YOEL WEISSHAUS,

Plaintiff,

11 Civ. 6616 (RKE)

-against-

ORDER

PORT AUTHORITY OF NEW YORK
AND NEW JERSEY,

Defendant.

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ORDER

Upon consideration of the parties' letters, ECF Nos. 173 & 174, in response to the Court's Order dated November 10, 2020, ECF No. 172, the Court concludes that the Port Authority's witness, Elizabeth McCarthy, is to be designated as a hybrid fact/expert witness. That is, Ms. McCarthy may testify about factual matters to which she has first-hand knowledge, in addition to providing her expert opinion on matters requiring specialized knowledge, skill, experience, training, or education.

Additionally, the Court grants the Port Authority leave to file a motion for a protective order as requested by the Port Authority in its November 9, 2022, letter to the Court, ECF No. 171.

Accordingly, it is hereby

ORDERED that the Port Authority's witness, Elizabeth McCarthy, is to be designated as a hybrid fact/expert witness and will be deposed as such; it is further

ORDERED that the Port Authority's request for leave to file a protective order limiting the scope of Ms. McCarthy's deposition is granted; and it is further

ORDERED that the Port Authority shall file its motion for a protective order no later than January 27, 2023.

/s/ Richard K. Eaton

Richard K. Eaton
U.S.D.J., by Designation

Dated: January 20, 2023
New York, New York