



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JAMES LASTRA,

Plaintiff,

- against -

CITY OF NEW YORK, et al.,

Defendants.
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16-CV-3088 (JGK) (RWL)

Order

ROBERT W. LEHRBURGER, United States Magistrate Judge.

This resolves the deposition issues raised by Plaintiff at Dkt. 272 and 273 and responded to by Defendants at Dkt. 274:

1. Plaintiff's request to modify the schedule so that Officer Pennant may be deposed first is denied given the multiple delays in scheduling depositions and the direct involvement of Officer Edmonds as well as Pennant.

2. Defense counsel does not dispute Plaintiff's right to take a 7-hour deposition. Starting at 11:00 a.m., on which Plaintiff has insisted, is not a reasonable starting time to complete a 7-hour deposition. Accordingly, the depositions shall begin at 10:00 a.m.

3. Plaintiff may have the video recorded by the certified court reporter transcribing the deposition, given pandemic conditions and Plaintiff's pro se status. The video may be submitted as exhibits to bona fide court filings but must be filed under seal, consistent with the Court's previous directive, and without prejudice to a later application to unseal.

SO ORDERED.



ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: June 7, 2021
New York, New York

Copies transmitted this date to all parties of record via ECF.