

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE LAUNDRESS MARKETING AND PRODUCT :
LIABILITY LITIGATION, : 22-CV-10667 (JMF)
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This Document Relates To: : MEMORANDUM OPINION
Macha v. The Laundress, LLC, No. 24-CV-2108 (JMF) : AND ORDER
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JESSE M. FURMAN, United States District Judge:

The parties have filed cross motions seeking protective orders with respect to Defendant's upcoming deposition of Plaintiff A.S., the fourteen-year-old daughter of Plaintiffs Olga Macha and Lauris Macs. *See* ECF Nos. 211, 216. Substantially for the reasons stated in Defendant's opposition letter, *see* ECF No. 222, Plaintiffs' requests to limit the deposition to one hour and to questions about A.S.'s "current condition" are DENIED. That being said, given A.S.'s age and condition, Defendant is admonished to proceed — as counsel has promised to do — "cautiously and sensitively." *Graham v. City of New York*, No. 08-CV-3518 (KAM) (RML), 2010 WL 3034618, at *5 (E.D.N.Y. Aug. 3, 2010); *see* ECF No. 220, at 3.

Meanwhile, Defendant's request to exclude Macha and Macs from attending the deposition are DENIED. Defendant's concerns about undue influence are not unfounded, but the Court concludes that, on the present record, there is no solid basis to exclude Macs and Macha, parties to this litigation, from the deposition, especially insofar as the deponent is their minor daughter. That said, to minimize the possibility of undue influence or disruption, the Court ORDERS that Macha and Macs shall be seated outside of A.S.'s direct line of vision — ideally behind her — and shall not communicate with A.S. in any manner, except during breaks in the deposition. If Macha and/or Macs do not comply with these restrictions, or if there is any issue during the deposition, the Court can and will revisit the request to exclude them from the deposition. To that end, and because the Court will be unavailable on March 10, 2025, the date of the deposition, the Court will, by separate Order, refer this matter to Magistrate Judge Robert W. Lehrburger to adjudicate any disputes that may arise during the deposition. If a dispute arises during the deposition, counsel should call Magistrate Judge Lehrburger's Chambers at (212) 805-0248 with all parties on the line. Failure to abide by this Order may also result in sanctions.

The Clerk of Court is directed to terminate ECF Nos. 211, 216.

SO ORDERED.

Dated: March 5, 2025
New York, New York



JESSE M. FURMAN
United States District Judge