

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RICKY KAMDEM-OUAFFO,

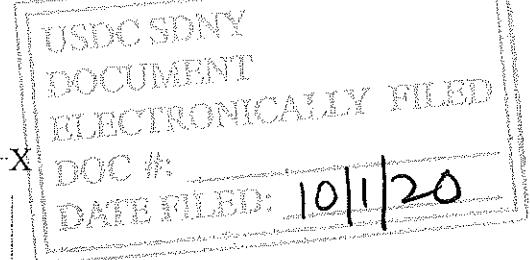
Plaintiff Pro Se,

-against-

BALCHEM CORPORATION, GIDEON OENGA (In Personal Capacity and/or in Capacity with Balchem Corporation) BOB MINIGER (In Personal Capacity and/or in Capacity with Balchem Corporation) RENEE McCOMB (In Personal Capacity and/or in Capacity with Balchem Corporation) THEODORE HARRIS, CEO (In Personal Capacity and/or in Capacity with Balchem Corporation) JOHN KUEHNER (In Personal Capacity and/or in Capacity with Balchem Corporation) TRAVIS LARSEN (In Personal Capacity and/or in Capacity with Balchem Corporation) MICHAEL SESTRICK (In Personal Capacity and/or in Capacity with Balchem Corporation),

Defendants.

X



Case No. 17-cv-2810-PMH-PED

X

**ORDER FOR DEFENDANTS TO TAKE THE REMOTE DEPOSITION BY VIDEO EXAMINATION OF PLAINTIFF RICKY KAMDEN-OUAFFO ON OCTOBER 13, 2020**

IT IS HEREBY ORDERED that Defendants Balchem Corporation ("Balchem"), Gideon Oenga, Renee McComb, Theodore Harris, John Kuehner, Travis Larsen and Michael Sestrick (hereinafter referred to collectively as "Defendants"), will take the recorded deposition by stenographic and audiovisual remote means of Plaintiff Pro Se Ricky Kamdem-Ouaffo, by way of U.S. Legal Support, a person authorized by the laws of the State of New Jersey to administer oaths through U.S. Legal Support's Zoom virtual platform, on October 13, 2020 beginning at 10:00 a.m. The remote deposition will be taken for the purpose of discovery, for use at trial or for all other

purposes as are permitted under the Federal Rules of Civil Procedure and will continue as prescribed by the Federal Rule of Civil Procedure until completed.

IT IS FURTHER ORDERED that Plaintiff is directed to bring to his deposition: (1) all documents that he reviewed in preparing for his deposition; and (2) all documents that have not been produced and that are responsive to Defendants' discovery requests, including any supplements thereto.

IT IS FURTHER ORDERED that Plaintiff will ensure that his cellular device is fully charged, and he has a charging mechanism available during the entirety of his deposition.

IT IS FURTHER ORDERED that Plaintiff will cooperate with Defendants, Defendants' counsel, the court reporting agency, U.S. Legal Support, and any other necessary individual or entity to ensure that Defendants can effectively take Plaintiff's deposition, including but not limited to, providing any required information to U.S. Legal Support to facilitate the deposition.

IT IS FURTHER ORDERED that Plaintiff will participate in a testing session with U.S. Legal Support to ensure that his cellular device is capable of operating U.S. Legal Support's virtual platform. U.S. Legal Support will contact Plaintiff via email to schedule a date and time for Plaintiff and U.S. Legal Support to conduct this session. Plaintiff is required to make himself available for this session and meaningfully participate so that U.S. Legal Support can determine whether Plaintiff can be deposed using his cellular device.

IT IS FURTHER ORDERED that Plaintiff will accept a calendar invitation with login instructions from U.S. Legal Support, which will provide the required information and instructions for Plaintiff to successfully login to the virtual platform for his deposition on October 13, 2020. U.S. Legal Support will send Plaintiff the calendar invitation at least three (3) days in advance of Plaintiff's deposition.

IT IS FURTHER ORDERED that Plaintiff will communicate with U.S. Legal Support as necessary to ensure any technological issues with his cellular device are addressed in advance of October 13, 2020.

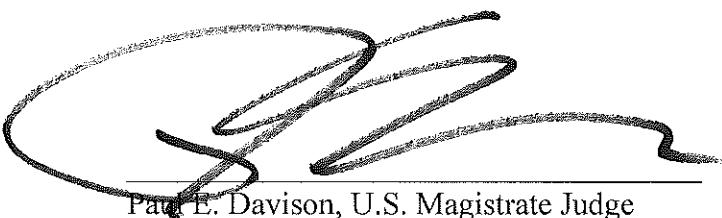
IT IS FURTHER ORDERED that Defendants will transmit to Plaintiff by October 12, 2020, hard copies of the deposition exhibits in sealed envelopes for opening and use at the deposition. Each exhibit will be placed in a sealed envelope marked on the outside with the bates number(s) and proposed exhibit number(s). In addition, Defendants shall email to Plaintiff each deposition exhibit as a separate pdf document at least one (1) day prior to Plaintiff's deposition. Each pdf shall be identified by bates number(s) and proposed marked exhibit number(s).

IT IS FURTHER ORDERED that Plaintiff's failure to comply with this Order, including but not limited to, his failure to appear and/or participate in his scheduled deposition on October 13, 2020, shall result in sanctions, which may include the dismissal of this Action with prejudice.

SO ORDERED.

Dated: White Plains, New York

10/1/20



Paul E. Davison, U.S. Magistrate Judge