

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:13cv227**

R.L., AS LAWFUL GUARDIAN AD LITEM OF MINOR CHILD, A.L.,)
)
Plaintiff,)
)
v.)
)
BURKE COUNTY PUBLIC SCHOOLS BOARD OF EDUCATION, et al.,)
)
Defendants.)
)

ORDER

Pending before the Court is the Motion to Compel [# 35]. Defendants move to compel the deposition of the minor Plaintiff A.L. (“Plaintiff”). Plaintiff, who is fifteen years old, contends that she will suffer unnecessary harm by allowing counsel for Defendants to depose her as part of this civil litigation. Upon a review of the pleadings, the record, and the relevant legal authority, the Court finds that allowing the deposition of Plaintiff is warranted in this case.

Plaintiff brought this civil action for damages against Defendants. Although the Court is mindful of the difficulty that a deposition may cause Plaintiff, Defendants are entitled to depose the Plaintiff during the discovery period.

Defendants would suffer significant prejudice if this Court were to require Defendants to proceed to trial without first obtaining the testimony of Plaintiff under oath through a deposition. Moreover, Plaintiff has not provided this Court with a single citation to any legal authority in support of her contention that the deposition of Plaintiff is inappropriate in this case. Cursory legal arguments, unsupported by legal authority, carry little weight in this Court. Accordingly, the Court **GRANTS** the Motion to Compel [# 35]. The Court **COMPELS** the deposition of the minor Plaintiff A.L. The deposition shall occur prior to the close of discovery in this case and can be taken by any attorney appearing for the Defendants.

Signed: June 23, 2014

Dennis L. Howell
Dennis L. Howell
United States Magistrate Judge

