



Case No. 1:14-CV-02526  
Gwin, J.

be inadmissible under [Federal Rule of Evidence 403](#).<sup>4/</sup>

Regardless of whether Plaintiff Rodriguez can offer expert testimony in support of his own claims, the Plaintiff cannot give expert testimony at this stage because he has not yet submitted to an oral deposition.

The Court therefore **GRANTS** Defendant's motion to strike Plaintiff's expert witness statement. Additionally, the Court **DENIES** Plaintiff's motion to strike the Defendant's pending summary judgment motion. Plaintiff has not produced any relevant legal or factual support for the motion.

IT IS SO ORDERED.

Dated: September 4, 2015

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE

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<sup>4/</sup>The *Ordon* court also expressed concern that serving as one's own witness would be in violation of [Federal Rule of Evidence 702](#), because the plaintiff's testimony would not "assist the trier of fact to understand the evidence or to determine a fact in issue." *Id.*