

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

JOSEPH M. RIEGER,

Plaintiff,

vs.

GENERAL DYNAMICS INFORMATION
TECHNOLOGY, INC.,

Defendant.

Case No.: 3:13-cv-402

Judge Walter H. Rice
Magistrate Judge Michael J. Newman

ORDER

On March 7, 2014, the Court held an informal discovery conference by telephone to address multiple discovery issues raised by both sides. The Court issued an Order on March 10, 2014, which addressed several issues raised during the call. Doc. 28. One additional issue remains for resolution; namely, the order of depositions.

The Court has been advised that Defendant noticed the deposition of Plaintiff, and that Plaintiff thereafter noticed one or more depositions of Defendant's witnesses. The parties are unable to agree on the order in which the depositions will proceed. As an initial matter, the Court expresses its reluctance to decide deposition scheduling. In the future, the Court expects such matters to be resolved -- in good faith and cooperatively -- amongst the parties. Nonetheless, as it is apparent this dispute was not able to be resolved, the Court will rule. The deposition of Plaintiff was noticed prior to Defendant's witnesses and, accordingly, Defendant may depose Plaintiff first. The parties shall work together to determine the date, time, and location of the depositions.

IT IS SO ORDERED.

March 10, 2014

s/ **Michael J. Newman**
United States Magistrate Judge