

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

AIRCRAFT FUELING SYSTEMS, INC.,)	
)	
PLAINTIFF,)	
)	
vs.)	CASE No. 08-CV-414-GKF-FHM
)	
SOUTHWEST AIRLINES, CO.,)	
)	
DEFENDANT.)	

OPINION AND ORDER

Plaintiff’s Motion for Order Granting Leave to Depose Defendant’s Expert [Dkt. 191] is before the Court for decision. Defendant has filed a response [Dkt. 209]. No reply has been filed by Plaintiff.

Plaintiff seeks to take the deposition of Defendant’s expert after the discovery deadline. Plaintiff acknowledges it received the expert report on May 18, 2009 and the amended expert report on February 21, 2011, and did not request the expert’s deposition before the discovery deadline. Plaintiff argues that it should be allowed to depose the expert because Defendant produced documents after the discovery deadline. Plaintiff, however, does not explain how any of the documents produced after the discovery deadline relate to the expert or his opinions.

Defendant responds that its expert has not reviewed any of the discovery produced after the discovery deadline.

The Court finds that Plaintiff has failed to establish that Defendant’s production of documents after the discovery deadline has any bearing on the evidence to be offered by Defendant’s expert. The expert has not reviewed the documents and Plaintiff has not explained how the documents relate to the expert’s opinions.

Plaintiff's Motion for Order Granting Leave to Depose Defendant's Expert [Dkt. 191] is DENIED.

SO ORDERED this 17th day of November, 2011.


FRANK H. McCARTHY
UNITED STATES MAGISTRATE JUDGE