

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

CLARACOM NETWORKS, LLC,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CIV-06-1177-F
)	
ILLINOIS BELL TELEPHONE)	
COMPANY, d/b/a SBC ILLINOIS)	
)	
Defendant.)	

ORDER

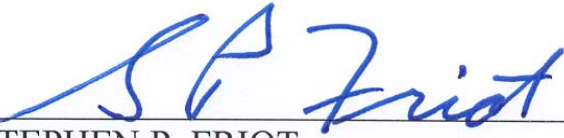
Before the court is the Motion to Quash, filed by Dennis Smith, pro se (doc. no. 1). The motion was filed on October 24, 2006.

The motion recites that it would not be convenient for Mr. Smith to give his deposition in the litigation pending in the Northern District of Illinois. The motion also asserts, somewhat weakly, that Mr. Smith's testimony would not provide any information not already known to SBC Illinois through other sources. In this respect, the court would note that, as a prerequisite to taking the deposition of Mr. Smith, it is not necessary for any party to show that "information is only available from Mr. Smith." Motion, at p. 5.

Applying the standards of Rule 26, Fed.R.Civ.P., the court concludes that Mr. Smith has not shown a sufficient basis to relieve him of the obligation, incumbent upon any citizen, to give his deposition in pending litigation with respect to which he may have knowledge of relevant facts. The motion is accordingly **DENIED**. The court assumes, however, that the parties will extend every reasonable accommodation and courtesy to Mr. Smith with respect to scheduling and with respect to the duration

of the deposition. It would have to be a truly extraordinary situation for a deposition to require more than four or five hours of actual testimony. It would appear that Mr. Smith does have access to legal advice as to his options in the event that the duration of the deposition is thought to be unreasonable.

Dated October 25, 2006.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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