

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

CATHERINE L. LINDERMAN, M.D.

6:12-cv-1703-TC

Plaintiff,

ORDER

v.

VONA HUGGINS NICHOLS, aka VONA E
HUGGINS; STONEWALL FARMS, LLC;
and DAVID CAINS, INDIVIDUALLY AND
d.b.a. STONEWALL FARM ARABIANS,

Defendants.

COFFIN, Magistrate Judge:

The parties cannot agree on the order of depositions and have submitted the matter to the court for resolution. Given that plaintiff has the burden in the case and the initial responsibility of stating her claim, the court will require the following order for the depositions to take place between August 18th and 20th, 2014:¹

August 18, 2014, Plaintiff Catherine Linderman;

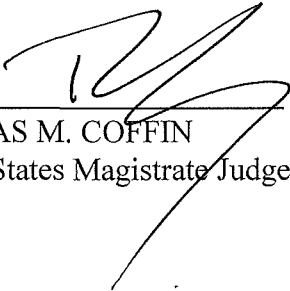
¹The court is mindful that plaintiff Linderman has already been deposed once in this proceeding, but the claims against defendant Cains had not then been alleged.

August 19, 2014, Scott Bailey; and

August 20, 2014, Defendant David Cains.

In addition, the court, now having the benefit of plaintiff's briefing, grants defendant Cains' motion to compel plaintiff to make initial disclosures (#81), and such shall disclosures shall be made by August 11, 2014. Although "it is expected" that later-added parties are "ordinarily" treated the same as original parties when the original parties have stipulated to forego initial disclosures, Fed. R. Civ. P. 26(a)(1)(D) (Advisory Committee Notes to 2000 revisions), the circumstances of the case and added claims necessitate that such disclosures be made with respect to the amended complaint adding defendants Cains and Stonewall Farms.² The court declines to award fees related to this motion.

DATED this 30^T day of July 2014.


THOMAS M. COFFIN
United States Magistrate Judge

²Even if the original parties stipulate to bypass disclosure, the court can order exchange of similar information in managing the action under Rule 16. Advisory Committee Notes to 2000 Amendment, subdivision (a)(1). The present circumstances make clear that court management of discovery is necessary.