

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JAMES BEARDEN, et al.,)	
)	
Plaintiffs,)	
)	
v.)	NO. 3:09-1035
)	Judge Sharp/Bryant
HONEYWELL INTERNATIONAL, INC.,)	Jury Demand
)	
Defendant.)	

MEMORANDUM AND ORDER

Pending in this case is defendant's motion for protective order regarding plaintiffs' 30(b)(6) deposition notice of defendant and subpoena of Halen Phan (Docket Entry No. 193). Plaintiffs have responded in opposition and have moved to strike defendant's motion (Docket Entry No. 216).

It appears to the undersigned Magistrate Judge that subsequent events in this case have rendered several grounds and objections raised in this motion and opposition moot. In particular, the Court conducted extensive oral argument on issues raised in these motions on October 21, 2011, the Court has ruled on defendant's motion for protective order (Docket Entry No. 219), and the Court has denied defendant's motion for summary judgment (Docket Entry No. 275).

For the foregoing reason, the undersigned Magistrate Judge GRANTS defendant's motion for protective order regarding plaintiffs' 30(b)(6) deposition notice and subpoena of Halen Phan and DENIES plaintiffs' motion to strike (Docket Entry No. 216). This ruling is without prejudice to plaintiffs' right to seek discovery regarding, among other things, the sufficiency of

plaintiffs' search for discoverable documents, including but not limited to inquiries regarding locations and identities of custodians searched, search terms employed, and steps taken to preserve pertinent documents.

It is so **ORDERED**.

s/ John S. Bryant
JOHN S. BRYANT
United States Magistrate Judge