

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**AUSTEN LACKEY,**

*Plaintiff,*

**vs.**

**AUSTIN DEMENT, CRST  
EXPEDITED, INC.,**

*Defendants.*

**SA-17-CV-00514-FB**

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**ORDER**

Before the Court in the above-styled cause of action is Plaintiff Austen Lackey’s Motion to Quash Notices of Deposition [#48]. By his motion, Plaintiff asks the Court to quash deposition notices issued to Tarik Tewary and the custodian of records for non-party Advanced Diagnostics Hospital East for depositions to occur on March 14, 2019. The Court held a hearing on the motion on this day, at which counsel for Plaintiffs and Defendants were present. At the hearing, the parties agreed that the two notices were for the same witness—the custodian of records of Advanced Diagnostics. The Court issued a number of oral rulings at the hearing, which the Court now memorializes with these written orders:

**IT IS HEREBY ORDERED** that Plaintiff Austen Lackey’s Motion to Quash Notices of Deposition [#48] is **DENIED IN PART AND GRANTED IN PART** as follows: Defendants may proceed with the noticed deposition of Advanced Diagnostics’ custodian of records. However, the deposition will not occur on March 14, 2019 as noticed. Defendants do not waive any objections to the scope of the deposition. The parties should confer on a mutually agreeable date for the deposition of the records custodian to be scheduled within **60 days** of this Order.

**IT IS FURTHER ORDERED** that all discovery in this case is **CLOSED** as of **March 15, 2019** with the exception of the records custodian deposition underlying this Order and Plaintiff's previously noticed Rule 30(b)(6) deposition. There will be no further intervention by the Court as to any discovery issued or depositions scheduled outside of the discovery period.

SIGNED this 11th day of March, 2019.



ELIZABETH S. ("BETSY") CHESTNEY  
UNITED STATES MAGISTRATE JUDGE