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4 UNITED STATES DISTRICT COURT  
5 WESTERN DISTRICT OF WASHINGTON  
6 AT SEATTLE

7 EDITHA DAMASCO,

8 Plaintiff,

9 v.

10 UNITED STATES OF AMERICA,

11 Defendant.

Case No. C17-641RSM

ORDER REGARDING DEPOSITION  
TESTIMONY AT TRIAL

12 Defendant has filed deposition designations for all three of its anticipated experts. Dkts.  
13 #46 (Ashley Giesa), #47 (Michael Battaglia) and #48 (Peggy Shibata). Additionally, the Pretrial  
14 Order represents that Plaintiff's health care provider will be presented by deposition testimony.  
15 Dkt. #43 at 8. The parties have known of the trial date since June 6, 2018, and have had the  
16 opportunity to secure their witnesses' availability for trial. To date the parties have provided no  
17 indication of the reasons these witnesses are unavailable under Federal Rule of Civil Procedure  
18 32(a)(4), or why the deposition testimony is otherwise admissible under the Federal Rules of  
19 Civil Procedure and the Federal Rules of Evidence.  
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21 The Parties are therefore directed to provide briefing on the admissibility of the proposed  
22 deposition testimony in this action by **12:00 p.m. tomorrow, June 26, 2018**. Each Parties'  
23 briefing shall not exceed five pages.  
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ORDER – 1

DATED this 25th day of June, 2018.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE

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