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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MILESTONE CONDOMINIUM
ASSOCIATION, a Washington nonprofit
corporation,

Plaintiff,

v.

STATE FARM FIRE & CASUALTY
COMPANY, an Illinois Company; and DOE
INSURANCE COMPANIES 1-10,

Defendants.

Case No. C17-0832 RSM

**ORDER GRANTING PLAINTIFF'S
MOTION FOR A PROTECTIVE ORDER
BARRING STATE FARM'S DEPOSITION
OF KEITH SOLTNER**

This matter having come on for hearing before the Honorable Ricardo S. Martinez on Plaintiff's Motion for a Protective order Barring or Limiting the Scope of State Farm's Deposition of Keith Soltner (Dkt. #15), and the Court having considered:

- (1) Plaintiff's Motion for a Protective Order Barring or Limiting the Scope of State Farm's Deposition of Keith Soltner;
- (2) Declaration of Justin Sudweeks in Support of Plaintiff's Motion for a Protective Order Barring or Limiting the Scope of State Farm's Deposition of Keith Soltner;
- (3) Declaration of Keith Soltner;
- (4) State Farm's Response to Plaintiff's Motion for Protective Order;
- (5) Declaration of Michael S. Rogers in Response to Motion for Protective Order and exhibits thereto;
- (6) Plaintiff Milestone Condominium Association's Reply Re: Motion for a Protective Order Barring or Limiting the Scope of State Farm's Deposition of Keith Soltner; and

1 (7) Reply Declaration of Justin Sudweeks Re Motion for Protective Order Re Deposition of
2 Keith Soltner;

3 IT IS SO ORDERED that: The Association's motion for a protective order (Dkt. #15) is
4 GRANTED for the reasons set forth in Plaintiff's motion and reply briefs. The Association's
5 former expert, Keith Soltner, is no longer retained as an expert witness and will not be testifying
6 at trial. State Farm has not demonstrated exceptional circumstances to justify the deposition of
7 Keith Soltner. Thus, pursuant to Fed. R. Civ. P. 26(b)(4)(D), State Farm is not entitled to take
8 Mr. Soltner's deposition.

9 DATED THIS 17th day of May 2018.

10 

11 RICARDO S. MARTINEZ
12 CHIEF UNITED STATES DISTRICT JUDGE