

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MARK WILLIAMS, as Personal
Representative of the Estate of Shane P.
Williams, and MARK WILLIAMS, a married
as his separate

Plaintiff,

v.

KITSAP COUNTY, a municipal corporation;
BEN HERRIN and JANE DOE HERRIN,
husband and wife, and the marital community
comprised thereof; and PAUL WOODRUM
and JANE DOE WOODRUM, husband and
wife, and the marital community comprised
thereof

Defendants.

Case No. CV 08-5430-RBL

ORDER ON DEFENDANTS' MOTION
CHALLENGING EXPERT DEPOSITION
FEE


THIS MATTER is before the court on the Defendants' challenge to the reasonableness of Plaintiff's expert's deposition fee. [Dkt. # 69].

At issue is the reasonableness of the \$2,000.00 flat fee charged by Mr. Van Blaricom for an approximately 90 minute deposition. Fed. R. Civ. P. 26(b)(4)(C)(ii) is silent as to what constitutes a reasonable fee. However, the Court has discretion to limit or alter discovery costs when they appear unreasonable. *Knight v. Kirby Inland Marine Inc.*, 482 F.3d 347, 356 (5th Cir. 2007) D.P. Van Blaricom's requested deposition fee of \$2,000.00 is unreasonable. The defendant shall pay two hours of Mr. Van Blaricom's time, or \$690.00, for the deposition.

1 Any amount paid above that amount shall be refunded to the Defendants.

2 IT IS SO ORDERED.

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4 Dated this 29th day of June, 2009.

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6 RONALD B. LEIGHTON
7 UNITED STATES DISTRICT JUDGE
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