

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**DAVID S. GRONIK, JR., et al.,
Plaintiffs,**

v.

Case No. 10-CV-00954

**NORMAN BALTHASAR, et al.,
Defendants and
Third-Party Plaintiffs,**

v.

**SHOREWEST REALTORS, INC., et al.,
Third-Party Defendants.**

and

**OPIO BOAT MOON, LLC, et al.,
Plaintiffs,**

v.

Case No. 11-CV-697

**CHUBB INDEMNITY INSURANCE COMPANY,
Defendant.**

DECISION AND ORDER

Plaintiffs' move to quash the deposition subpoena issued to third-party witness Tom Branigan. Branigan is the Chief Executive Officer of Branigan Communications, a Milwaukee-based communications firm that plaintiff David Gronik has worked with in the past and hired to handle the media relations related to this case. Defendants Susan Balthasar and the estate of Norman Balthasar wish to depose Branigan so they can ask about his work with plaintiffs and follow-up on documents produced by Branigan that include admissions by plaintiffs relevant to this case. Because Branigan has not objected

to the deposition and plaintiffs do not claim to have a privacy interest in the information Branigan will disclose, I will deny the motion to quash the subpoena. See 9A Charles Alan Wright & Arthur R. Miller, Federal Practice and Procedure § 2459 (3d Ed. 2008) (“Ordinarily a party has no standing to seek to quash a subpoena issued to someone who is not a party to the action, unless the objecting party claims some personal right or privilege with regard to the documents sought.”). Plaintiffs’ only objection to the subpoena is that it constitutes improper harassment of Branigan because he has no firsthand knowledge of the events at issue in this case. This claim should be made by Branigan himself.

THEREFORE, IT IS ORDERED that plaintiff’s expedited non-dispositive motion to quash the deposition subpoena of Tom Branigan (Docket #421) is **DENIED**.

Dated at Milwaukee, Wisconsin, this 9th day of April 2013.

s/ Lynn Adelman

LYNN ADELMAN
District Judge