

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED *Ym*
NOV 29 1999
U. S. DISTRICT COURT
E. DIST. OF MO.
ST. LOUIS

LESLIE MORGAN, et al.,)
)
Plaintiffs,)
)
v.) Case No. 4:94-CV-1184 (CEJ)
)
UNITED PARCEL SERVICE OF)
AMERICA, INC., and UNITED)
PARCEL SERVICE, INC.,)
)
Defendants.

MEMORANDUM AND ORDER

This matter is before the Court on defendants' motion for a protective order regarding the EEOC's deposition notice to UPS lead counsel William H. Brown, III, and defendants' motion for a protective order regarding deposition notices to five other UPS employees.

The Court finds that the EEOC has not provided sufficient reason for taking the deposition of UPS's lead counsel. See Shelton v. American Motors Corp., 805 F.2d 1323, 1327 (8th Cir. 1986) (depositions of opposing counsel limited to situations where no other means exists to obtain information, and information is relevant, nonprivileged, and crucial). Thus, the Court will quash the deposition notice to Brown.

The Court further finds that the EEOC has not sufficiently cooperated with UPS in scheduling depositions of other UPS


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employees. Thus, the Court will quash the deposition notices to the other five UPS employees. The Court reminds the parties that they are expected to cooperate in scheduling depositions, and strongly discourages a party from sending deposition notices without first working out agreeable dates. The court urges the parties to resolve any issues regarding the site of the depositions without further Court intervention.

Accordingly,

IT IS HEREBY ORDERED that defendant's motion for a protective order regarding the deposition notice to Brown (# 345) is **granted**.

IT IS FURTHER ORDERED that defendant's motion for a protective order regarding the deposition notices to Kelly, Nelson, Duffy, Corrigan, and Jones (# 349) is **granted**.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE

Dated this 29th day of November, 1999.

AN ORDER, JUDGMENT OR ENDORSEMENT WAS SCANNED, FAXED AND/OR MAILED TO THE
FOLLOWING INDIVIDUALS ON 11/29/99 by kmoore
4:94cv1184 Morgan vs UPS of America, Inc

42:2000e Job Discrimination (Employment)

William Brown -	Fax: 215-751-2205
John Carey - 2782	Fax: 314-721-0905
Jack Cavanagh - 2803	Fax: 314-721-0177
Joseph Danis - 42779	Fax: 314-721-0905
Donna Harper -	Fax: 314-539-7895
Robert Kaiser - 3509	Fax: 314-621-5065
Kevin Kinkade -	Fax: 812-749-3831
Kelly Lonnborg -	Fax: 812-749-3831
Virginia O'Leary -	Fax: 812-749-3831
Daniel O'Toole - 3987	Fax: 314-621-5065
Darlene Robinson -	Fax: 812-749-3831
Charles Staples - 4443	Fax: 757-671-7598
Paul Vaporean - 35967	Fax: 314-721-0177
David Welch - 4679	Fax: 314-621-5065

SCANNED & FAXED BY:

NOV 29 1999

J. M. W.