



JI-WA-0002-0002

b
12/9

ENTERED
ON DOCKET
AUG 17 1994

By Deputy

FILED	LOGGED
RECEIVED	
AUG 17 1994	
CLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA	
BY	DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JAMES HORTON, et al.,

Plaintiff,

v.

BOB WILLIAMS, et al.,

Defendants.

CASE NO. C94-5428RJB

MINUTE ORDER REGARDING
DISCOVERY AND DEPOSITIONS

It is **ORDERED** that:

1. **DISCOVERY**. All discovery matters should be resolved by agreement if possible. If a ruling is needed on any discovery question, and counsel wish to avoid the time and expense of a written motion, they may obtain an expedited ruling through a telephone conference call to the court at (206) 383-7919.

2. **DEPOSITIONS**. Depositions will be conducted in compliance with the following rules:

(a) **Examination**. If there are multiple parties, each side should ordinarily designate one attorney to conduct the main examination of the deponent, and any questioning by other counsel on that side should be limited to matters not previously covered.

(b) **Objections**. The only objections that should be raised at the deposition are those involving a privilege against disclosure, or some matter that may be remedied if

1 presented at the time (such as the form of the question or the responsiveness of the answer), or
2 that the question seeks information beyond the scope of discovery. Objections on other grounds
3 are unnecessary and should be avoided. All objections should be concise and must not suggest
4 answers to, or otherwise coach, the deponent. Argumentative interruptions will not be
5 permitted.

6 (c) **Directions Not to Answer.** Directions to the deponent not to answer are
7 improper. Advice not to answer may be appropriate on the ground of privilege or to enable a
8 party or deponent to present a motion to the court or special master for termination of the
9 deposition on the ground that it is being conducted in bad faith or in such a manner as
10 unreasonably to annoy, embarrass or oppress the party or the deponent, or for appropriate
11 limitations upon the scope of the deposition (e.g., on the ground that the line or inquiry is not
12 relevant nor reasonably calculated to lead to the discovery of admissible evidence). When a
13 privilege is claimed, the witness should nevertheless answer questions relevant to the existence,
14 extent or waiver of the privilege, such as the date of the communication, who made the
15 statement in question, to whom and in whose presence the statement was made, other persons
16 to whom the contents of the statement have been disclosed, and the general subject matter of the
17 statement.

18 (d) **Responsiveness.** Witnesses will be expected to answer all questions
19 directly and without evasion, to the extent of their testimonial knowledge, unless they choose
20 to follow the advice of counsel not to answer.

21 (e) **Private Consultation.** Private conferences between deponents and their
22 attorneys during the actual taking of the deposition are improper, except for the purpose of
23 determining whether a privilege should be asserted. Unless prohibited by the court for good
24 cause shown, such conferences may, however, be held during normal recesses and adjournments.

1 (f) Conduct of Examining Counsel. Examining counsel will refrain from
2 asking questions he or she knows to be beyond the legitimate scope of discovery, and from
3 undue repetition.

4 (g) Courtroom Standard. All counsel and parties should conduct themselves
5 in depositions with the same courtesy and respect for the rules that are required in the courtroom
6 during trial.


7 3. RESPONSIBILITY OF PLAINTIFF'S COUNSEL. This order is issued at the
8 outset of the case, and a copy is delivered by the clerk to counsel for plaintiff. Plaintiff's
9 counsel (or plaintiff, if pro se) is directed to deliver a copy of this order to each other party
10 within ten (10) days after receiving notice of that party's appearance.

11 DATED this 17 day of Aug, 19 94.

12
13 The foregoing Minute Order entered by Jean Adams, Deputy Clerk, BY
14 THE DIRECTION OF THE HONORABLE ROBERT J. BRYAN, UNITED STATES
15 DISTRICT JUDGE.

3

ENTERED
ON DOCKET
AUG 17 1994

By Deputy 

FILED
RECEIVED
LODGED
AUG 17 1994
BY WESTERN DISTRICT OF WASHINGTON AT TACOMA
CLERK U.S. DISTRICT COURT
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JAMES HORTON, et al.,

Plaintiff,

v.

BOB WILLIAMS,

Defendants.

CASE NO. C94-5428RJB

MINUTE ORDER REQUIRING
JOINT STATUS REPORT

It is **ORDERED** that:

All parties are directed to confer and provide the Court with a Joint Status Report within seventy-five (75) days of the date of entry of this order. The Joint Status Report shall contain the following information:

1. The nature of the case;
2. The status of the case including hearings, motions, and discovery;
3. Whether the case or portions of it should be referred to a Special Master;
4. Whether the case is appropriate for mediation under Local Rule 39.1;
5. Whether the parties agree that a full-time magistrate judge may conduct all proceedings under Local Rule MJR 13;
6. The date the case will be ready for trial, considering Local Rule 16 deadlines;
7. Whether the trial is jury or non-jury;
8. The number of trial days required;
9. The names of trial counsel;

c/c

10/31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

2

1 10. The dates on which trial counsel are unavailable and any other complications to be
2 considered in setting a trial date;

3 11. Suggestions for shortening trial.

4 It is the responsibility of plaintiff's counsel to serve a copy of this order upon all parties
5 who may appear after this Order is filed within ten (10) days of receipt of service of an
6 appearance. It is also the responsibility of plaintiff's counsel to initiate the communication
7 necessary to prepare this Joint Status Report.

8 If counsel are unable to agree upon the content of any part of the status report, they may
9 respond in separate paragraphs. **Separate status reports are not to be filed.**

10 If on the due date of the Joint Status Report, all defendant(s) or respondent(s) have not
11 been served, counsel for the plaintiff shall advise the Court in an independent status report when
12 service will be effected and why service has not been previously accomplished.

13 If on the due date the defendant(s) or respondents(s) have been served and no answer or
14 appearance has been filed, counsel for the plaintiff shall file an independent status report setting
15 forth the above information in items 1 through 10 to the extent possible. This report shall also
16 include the current status of the non-appearing parties.

17 Failure to respond to this Order pursuant to its terms may result in the impositions of
18 sanctions by the Court.

19 The Clerk of this Court is instructed to send uncertified copies of this Order to all
20 counsel of record.

21 DATED this 17 day of Aug, 19 94.

22 The Foregoing Minute Order entered by J Adams, Deputy Clerk,
23 BY THE DIRECTION OF THE HONORABLE ROBERT J. BRYAN, UNITED STATES
24 DISTRICT JUDGE.