United States District Court District of Massachusetts

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GARY D. PELLETIER,

Plaintiff,

v.

Civil Action No. 03-10130-NMG

MAIN STREET TEXTILES, LP, TYNG TEXTILES, LLC, CHARLES MCANSIN ASSOCIATES, LP, MCDONNA, LLC, JOAN FABRICS CORPORATION,

Defendants.

ORDER

GORTON, J.

Pending before the Court is Plaintiff's Motion for Leave to Take Additional Depositions and for Sanctions for Defendants' Failure to Comply with this Court's December 16, 2004 Order Compelling Production of Documents (Docket No. 94). After notice to the parties, consideration of the pleadings and a hearing, this Court finds that 1) the Plaintiff is entitled to depose six members of the cleaning staff of Main Street Textiles, LP, 2) the deposition of Ms. Barbara Robertson, which is unopposed, should be taken at a mutually agreed upon time and place before the extended close of discovery and 3) the Defendants should be sanctioned for their dilatory compliance with their discovery obligations and this Court's Order, entered December 16, 2004 (Docket No. 90), which caused unnecessary expense and

inconvenience to the Plaintiff.

Accordingly, Plaintiff's motion is **ALLOWED** and the parties shall proceed as follows:

- a. Defendants shall forthwith pay to the Plaintiff Four Thousand Dollars (\$4,000) as a sanction and to reimburse him for unnecessary discovery expenses incurred.
- b. Plaintiff is granted leave to depose Jose Botelho, Angelo DeMelo, Manuel Furtado, Joao B. Roias, Paul DeMelo and Armando DrFreitas, provided, however, that the total amount of time to conduct the direct examinations of said deponents shall not exceed 12 hours.
- c. Plaintiff is granted leave to depose Barbara Robertson and all authorized depositions shall be completed on or before February 15, 2005.

So ordered.

/s/ Nathaniel M. Gorton
Nathaniel M. Gorton
United States District Judge

Dated December 30, 2004

Publisher Information

Note* This page is not part of the opinion as entered by the court.

The docket information provided on this page is for the benefit

of publishers of these opinions.

1:03-cv-10130-NMG Pelletier v. Main Street Textiles, et al Nathaniel M. Gorton, presiding

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