

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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ORLANDO MATTHEWS,

Plaintiff,

v.

MARTEN TRANSPORT, LTD.,  
RANDY MARTEN and  
WILLIAM (BILL) KENNEDY,

Defendants.

ORDER

04-C-482-C

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On November 18, 2004 this court received plaintiff's motion to stay his December 9, 2004 deposition by defendants until he is represented by counsel. (Dkt. 26). Plaintiff reports that he has not been successful in retaining a private attorney, so he is counting on this court to appoint an attorney for him. Today the district judge denied plaintiff's motion for appointment of counsel. In light of this, there is no point in delaying the scheduled deposition. Plaintiff has been itching to get discovery moving, as evidenced by his two premature motions to compel discovery from defendants. Now defendants want to explore with plaintiff the basis of his serious allegations. Plaintiff has had more than enough time to prepare for deposition, since his case has been pending in this court since July and had been pending in the Western District of Tennessee for some time before that. December 9 is 2½ weeks away, so plaintiff has sufficient time to gather his records, think through his answers to expected questions, and present himself for deposition.

Accordingly, it is ORDERED that plaintiff's motion for protection is DENIED.

Entered this 22<sup>nd</sup> day of November, 2004.

BY THE COURT:

STEPHEN L. CROCKER  
Magistrate Judge