

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

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DANIEL FLODIN,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.  
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ORDER

13-cv-853-bbc

Plaintiff Daniel Flodin is suing the government under the Federal Tort Claims Act for negligently failing to prevent his father from falling while at a medical clinic for veterans.

Trial is scheduled for March 8, 2016.

Three motions are before the court: (1) the government's motion to quash a deposition that plaintiff wishes to take of his own expert, Thomas Littman, on February 24, 2016, in lieu of testifying at trial, dkt. #66; (2) the government's unopposed motion to present the testimony of one of its witnesses, Jane Mahoney, on March 8, 2016, so that she may participate in a workshop the following day, dkt. #68; and (3) plaintiff's motion to allow Littman to testify at the trial over the telephone, dkt. #70.

I construe plaintiff's motion as including a withdrawal of his deposition notice, so I will deny the government's motion to quash the deposition as moot. Because the government already agreed to plaintiff's request to present Littman's testimony by

telephone, dkt. #66 at 3, I will grant the request. Finally, plaintiff does not object to the government's request to allow Mahoney to testify on March 8, so I will grant that request as well.

#### ORDER

IT IS ORDERED that

1. Defendant United States of America's motion to quash the deposition of Thomas Littman, dkt. #66, is DENIED as moot.

2. Plaintiff Daniel Flodin's motion to present the testimony of Thomas Littman by telephone, dkt. #70, is GRANTED.

3. Defendant's motion to present the testimony of Jane Mahoney on March 8, 2016, dkt. #68, is GRANTED.

Entered this 22d day of February, 2016.

BY THE COURT:  
/s/  
BARBARA B. CRABB  
District Judge