

ORAL ORDER: Plaintiff requests that I prohibit Defendant from taking the deposition of Mr. Kaneguchi. (D.I. 139). Clearly, it is burdensome for Mr. Kaneguchi to be deposed, but that is a consequence of Japanese law and the pandemic, which applies equally to any employee of Nichia who lives in Japan. Nichia does not argue that the deposition would be disproportionate to the needs of the case. For example, Plaintiff does not give any hint as to the amount in dispute. I am not convinced that Mr. Kaneguchis storehouse of relevant knowledge has been rendered unnecessary by the Rule 30(b)(6) witnesses Plaintiff has provided. I do not think the apex doctrine is particularly relevant here. Plaintiffs request for a protective order is thus DENIED. Ordered by Judge Richard G. Andrews on 7/26/2021. (nms) (Entered: 07/26/2021)

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Nichia Corporation v. Global Value Lighting, LLC
1-19-cv-01388 (DDE), 7/26/2021, docket entry 145