

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

**ROY BANKS,
Plaintiff,**

v.

**OFFICE OF THE SENATE SERGEANT-
AT-ARMS and DOORKEEPER,
Defendant.**

Civil Action No. 03-56 (HHK/JMF)

Civil Action No. 03-686 (HHK/JMF)

Civil Action No. 03-2080(HHK/JMF)

ORDER

In accordance with the accompanying Memorandum Opinion, it is, hereby, **ORDERED** that:

1. Plaintiff's Motion for Discovery and Sanctions Pursuant to the Court's February 16, 2005 Order [#135] is **GRANTED in part** and **DENIED in part**; and it is **FURTHER ORDERED** that

2. Defendant's Motion for Leave to File Surreply to Plaintiff's Reply in Support of His Motion for Discovery and Sanctions [#150] is **GRANTED**;¹ and it is **FURTHER ORDERED** that

_____ 3. By July 1, 2005, Banks may depose, at his own expense, Jean McComish, Barbara Berger, Doug Fertig, K.C., M.K, and S.R.² Each deposition shall last no more than two hours, and the questions shall be limited to: (a) the questions asked and

¹ In resolving the issues raised by these motions, I have also considered the arguments made by plaintiff in Plaintiff's Opposition to Defendant's Motion to File Surreply.

² Of course, plaintiff may also inquire about the Investigatory Notes when Alvin Macon's 30(b)(6) deposition is taken.

answers provided during the June 2003 investigation; (b) any subsequent interviews that were or appeared to be about discriminatory remarks or behavior by any Capitol Facilities manager or supervisor; and (c) the decision to pursue or not to pursue disciplinary action against anyone mentioned during the investigation, including M.K. and S.R.

SO ORDERED.

JOHN M. FACCIOLA
UNITED STATES MAGISTRATE JUDGE

Dated: