

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

**VALDA T. JOHNSON,**

**Plaintiff,**

**v.**

**ELAINE L. CHAO, *et al.*,**

**Defendants.**

**Civil Action No. 04-1848 (ESH/JMF)**

**ORDER**

This case was referred to me for settlement and for the resolution of all discovery disputes. On June 23, 2005, this court granted in part and denied in part plaintiff's Motion to Have Defendant Make John Seal Present for Deposition; Motion to Clarify Scope to Include EEO Arbitration and Promotion Issues; and Document to Accept Pro Bono Attorney for Limited Purpose of Mediation ("Pl.'s Mot.") and granted in part and denied in part Defendants' Motion for a Protective Order.

Although the parties initially agreed to postpone the June 24, 2005 deposition of John Seal ("Seal"), they still disagree as to whether the deposition must take place on the rescheduled date of June 29, 2005 and whether the deposition must take place at all. It appears that plaintiff is concerned about conducting Seal's deposition before the end of June because he will be retiring and "leaving the country very soon." Pl.'s Mot. at 1. However, the government has represented to the court that it will "produce Mr. Seal for his deposition, if ordered to do so by the Court, and that Mr. Seal has agreed to accept service of subpoena through the United States

Attorney's Office, after his retirement." Defendants' Notice for an Expedited Resolution of Its Motion for a Protective Order at 1. Accordingly, if and when it is determined that Seal's deposition should take place, plaintiff can be assured that serving Seal with a subpoena will be easily accomplished.

As for whether Seal's deposition should ever be taken, this court finds that the issue is premature, given the pending settlement negotiations. Accordingly, it is, hereby, **ORDERED** that the Seal deposition and all discovery be **STAYED** until the settlement negotiations are completed.

**SO ORDERED.**

Dated:

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JOHN M. FACCIOLA  
UNITED STATES MAGISTRATE JUDGE