



dispute in this action. Any documents that Dr. Salas Rushford may produce should be taken as a good-faith effort and not as a waiver of this objection as to any other documents.

2. Plaintiff's Notice provides inadequate notice as to the deposition itself. Dr. Salas Rushford lives and works in Puerto Rico, but Plaintiff's Notice gives him only notice of only 22 days for a deposition scheduled on the first day after the highly traveled Memorial Day weekend, which would require Dr. Salas Rushford to travel on Memorial Day itself. Plane fares are exorbitant at this late time for booking travel during that weekend. Plaintiff's short notice for such a highly traveled time is not "reasonable written notice" as expressly required by FED R. CIV. P. 30(b)(1).

3. Plaintiff's Notice is also unreasonable in that May 31 is Dr. Salas Rushford's birthday and he has prior family plans for that date.

4. Plaintiff's Notice is also untimely in giving him notice of only 14 business days. Dr. Salas Rushford runs a medical practice and schedules out more than 14 days the few patients he has been able to keep after ABIM injured him. He will need to take time off to prepare for a deposition and travel to and from it, in addition to the day of the deposition itself. There is no justification for Plaintiff to provide so little notice for a deposition of Defendant, in litigation that has been ongoing for more than 18 months.

5. Plaintiff's Notice specifies an unreasonable location for the deposition, far outside of the vicinage of this lawsuit in Newark. Plaintiff insists on holding the deposition in downstate New Jersey, in Cherry Hill, rather than a location within the Newark vicinage. Plaintiff sued in Newark, and the deposition should be held in proximity to either the Newark vicinage or where Dr. Salas Rushford is located in Puerto Rico.

6. Plaintiff's Notice is untimely and not feasible under the currently applicable Scheduling Order, by which fact discovery must conclude on May 31, 2016. Plaintiff has not sought an extension in that deadline, and thus Plaintiff's Notice is untimely.

Defendant Dr. Salas Rushford asserts the above objections without waiving any additional objections he may have to specific document requests or questions.

Dated: May 13, 2016

s/ Andrew L. Schlafly

Andrew L. Schlafly (AS4533)  
Attorney at Law  
939 Old Chester Rd.  
Far Hills, NJ 07931  
(908) 719-8608  
*Attorney for Defendant Jaime Salas Rushford, M.D.*

### **CERTIFICATE OF SERVICE**

I, Andrew L. Schlafly, counsel for Defendant Jaime Salas Rushford, M.D., do certify that on May 13, 2016, I served by email and postal mail Defendant's Objections to Plaintiff's Notice of Deposition by Oral Examination with Request for Production of Documents on all parties of record as follows:

Roberto A. Rivera-Soto  
BALLARD SPAHR LLP  
210 Lake Drive East- Suite 200  
Cherry Hill, New Jersey 08002-1163  
riverasotor@ballardspahr .com

*Counsel for Plaintiff American Board of Internal Medicine*

s/ Andrew L. Schlafly

Andrew L. Schlafly (AS4533)  
*Attorney for Defendant Jaime Salas Rushford, M.D.*