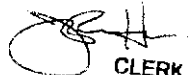


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
AUG 02 2006

CLERK

CHRISTOPHER ROLLER,)	CIV 06-4098
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
GE MEDICAL SYSTEMS)	
INFORMATION TECHNOLOGIES, INC.,)	
)	
Defendant.)	

Christopher Roller, pro se, filed eight sets of interrogatories and document requests. One set addressed to GEMS IT, and one to individuals Bob Moore, Rich Adcock, Troy Wollman, Noah Allard, Kevin Impeccoven, Kristi Hensley, and Hethe Henrickson. The defendant answered the interrogatories addressed to GEMS IT, and Bob Moore, one of their managers. Plaintiff filed a motion to compel answers to all eight interrogatories, and the defendant filed their response stating that they answered the interrogatories addressed to the defendant and its manager, but did not answer the interrogatories of the other persons who formerly were employed with the defendant, and no longer work for the defendant. Mr. Hendrickson and Mr. Wollman are presently employed in non-managerial capacities, and GEMS IT refused to answer those interrogatories. United States Chief District Judge Karen E. Schreier, pursuant to 28 U.S.C. § 636(b)(1)(A), referred this matter to the undersigned Magistrate Judge for a ruling.

Federal Rules of Civil Procedure 33(a) provides for service of written interrogatories by any party to be served upon any other party in the litigation. Under the federal discovery rules, depositions may be taken of non-parties, but not interrogatories, and therefore, it is hereby

ORDERED that the plaintiff's motion to compel be denied.

Dated this 2nd day of August, 2006.

BY THE COURT:



MARSHALL P. YOUNG
UNITED STATES MAGISTRATE JUDGE