

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON

Snyder v. Lindblad Expeditions LLC

Snyder · No. 2:25-cv-01753-LK · Decided January 20, 2026

SUMMARY

The United States District Court for the Western District of Washington denied Colby Snyder’s motion to conduct remote depositions using audio/video recording without a court reporter and to use the recording as the official record. The Court held that the proposed procedures were insufficiently specified and did not demonstrate compliance with the Federal Rules of Civil Procedure concerning deposition officers, oaths, and certification.

OPINION

1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 WESTERN DISTRICT OF
WASHINGTON AT SEATTLE 9 10 COLBY SNYDER, CASE NO. 2:25-cv-01753-LK 11
Plaintiff, ORDER DENYING MOTION FOR 12 v. REMOTE DEPOSITIONS WITHOUT A
COURT REPORTER 13 LINDBLAD EXPEDITIONS LLC et al., 14 Defendants. 15 16 This
matter comes before the Court on Plaintiff Colby Snyder’s “Motion for Order 17 Permitting
Remote Deposition by Audio/Video Recording without Court Reporter, with Later 18
Transcription.” Dkt.

No. 28. Defendants oppose the motion. Dkt. No. 29. For the reasons set forth 19 below, the Court
denies the motion. 20 I. BACKGROUND 21 Snyder filed his pro se complaint in this Court in
September 2025, alleging that his former 22 employers, Defendants Lindblad Expeditions LLC
and Lindblad Holdings, Inc. (“Linblad”), failed 23 to pay his wages. See generally Dkt.

No. 1. Snyder contends that he was engaged as a full-time 24 1 officer “with guaranteed rotational
assignments,” but he was discharged without cause for “not 2 meeting expectations.” Id. at 1, 4.
He asserts claims for failure to pay wages under the Seamen’s 3 Wage Act, 46 U.S.C. §§ 10313,
10504; “unearned wages for improper discharge” under general 4 maritime law, 46 U.S.C. §§
10313, 10504; failure to pay wages under Washington and Alaska law; 5 and, in the alternative,
unlawful engagement of a seaman under 26 U.S.C. § 11107.

Id. at 5–10. 6 In December 2025, Snyder noted a deposition of Lindblad’s corporate representative
under 7 Federal Rule of Civil Procedure 30(b)(6), then requested the depositions of Lindblad’s
Vice 8 President of Marine Operations, its Vice President of Compliance, its Shipboard Human
Resources 9 Manager, and one if its captains. See Dkt. No. 30 at 1–2; Dkt.

No. 30-1 at 2; Dkt. No. 30-2 at 2–4; 10 Dkt. No. 30-3 at 13–14. 11 Scheduling was proceeding cooperatively, but on December 23, Snyder emailed 12 Defendants’ counsel stating, “Due to the holiday season and limited vendor availability, I have 13 been unable to obtain timely confirmation from a remote court reporter service for the upcoming 14 proposed deposition dates” and proposed remote depositions without a court reporter present.

Dkt. 15 No. 30-4 at 3. Defendant declined to agree to depositions without a court reporter, *id.* at 2, and 16 Snyder filed this motion the same day, Dkt. No. 28. Discovery is scheduled to be completed by 17 July 24, 2026. See Dkt. No. 26. 18 II. DISCUSSION 19 Snyder requests that the Court “[p]ermit[] the deposition to proceed remotely by 20 audio/video recording without a court reporter present;” “[a]uthoriz[e] the oath to be waived or 21 administered by agreement of the parties;” and “[a]llow[] the recording to serve as the official 22 record, subject to later transcription if necessary.” Dkt.

No. 28 at 3. Snyder contends that “[m]ost 23 vendors advised that they do not provide services to pro se litigants,” and the “quoted rates render 24 the use of a court reporter financially impossible for [him].” *Id.* at 1–2. 1 Defendants respond that depositions must be conducted before a court reporter or a person 2 appointed by the court who performs the roles set forth in Federal Rule of Civil Procedure 30.

Dkt. 3 No. 29 at 3–4. They argue that Snyder seeks to depose five witnesses, including a corporate 4 representative, without a court reporter and “instead to remotely audio/video record the 5 depositions[,] in a completely unspecified manner, and let that recording act as the official record,” 6 which will not ensure the integrity of the record. *Id.* at 5. 7 A. Legal Standard 8 Federal Rule of Civil Procedure 30 authorizes the party noticing a deposition to state 9 whether it will be recorded “by audio, audiovisual, or stenographic means,” and requires that party 10 to pay the costs associated with the chosen method.

Fed. R. Civ. P. 30(b)(3)(A); see also Charles 11 Alan Wright & Arthur R. Miller, 8A Fed. Prac. & Proc. § 2115 (3d ed. Sept. 2025 Update) (“since 12 1993 any party has had a right to use nonstenographic recording by giving prior notice to the 13 deponent and the other parties.”). Rule 30(b)(4) states that “[t]he parties may stipulate—or the 14 court may on motion order—that a deposition be taken by telephone or other remote means.” See 15 also LCR 30(b) (stating that “[t]he notice must state whether the deposing party intends that 16 deposition to be taken by remote means as provided in, and subject to, Fed.

R. Civ. P. 30(b)” and 17 “[d]epositions handled by remote means may be used in the same way as any other deposition”). 18 “Unless the parties stipulate otherwise, a deposition must be conducted before an officer 19 appointed or designated under Rule 28.” Fed. R. Civ. P. 30(b)(5)(A).

In turn, Rule 28(a)(1) states that a deposition may be taken before “an officer authorized to administer oaths either by federal law or by the law in the place of examination” or “a person appointed by the court where the action is pending to administer oaths and take testimony.” Rule 30(b)(5) enumerates the officer’s duties, including administering an oath and making on-the-record statements at the beginning and end of the deposition.

See also Fed. R. Civ. P. 30(f) (“The officer must certify in writing that the witness was duly sworn and that the deposition accurately records the witness’s testimony.”). Finally, Rule 232(c) provides that “[u]nless the court orders otherwise, a party must provide a transcript of any deposition testimony the party offers, but may provide the court with the testimony in nontranscript form as well.” *B. Snyder is Not Entitled to the Relief He Seeks* The Court first considers the scope of the record for this motion.

The Court does not consider Snyder’s assertions that “[m]ost vendors advised that they do not provide services to pro se litigants” or that the cost would be financially burdensome to him, Dkt. No. 28 at 1–2, because he does not cite anything in the record to support these assertions. LCR 7(b)(1) (“If the motion requires consideration of facts not appearing of record, the movant shall also serve and file copies of all affidavits, declarations, photographic or other evidence presented in support of the motion.”); LCR 10(e)(6) (requiring citation to the record); see also United States District Court for the Western District of Washington Pro Se Guide at 27, available at <https://www.wawd.uscourts.gov/sites/wawd/files/ProSeGuidetoFilingYourLawsuitinFederalCourt.pdf> (“You are solely responsible for the payment of fees associated with the services of a court reporter.”).

Snyder also argues in his reply brief that Defendants’ response to his motion was untimely and may be disregarded. Dkt. No. 31 at 2. This argument is easily rejected. Snyder filed his motion on December 23, 2025, and under Local Civil Rule 7(d)(3), Defendants’ response was due 15 days later, which was on January 7, 2026. Defendants filed their response on that day and it was therefore timely.

See Dkt. No. 29. Defendants are reminded that the Court does not permit citations in footnotes. Dkt. No. 17-1 at 4. Future noncompliant briefs will be summarily stricken. Snyder further states in his reply brief that “[t]o the extent [his] initial motion referenced a waiver of the oath or administration by agreement of the parties, [he] withdraws that request and seeks only Court-authorized administration of the oath by a neutral officer under Rule 28(a)(2).” Dkt.

No. 31 at 4. Snyder’s motion specifically sought an order “[a]uthorizing the oath to be waived or administered by agreement of the parties,” Dkt. No. 28 at 3, and the Court will not entertain Snyder’s new request for relief in reply, see, e.g., *Bazuaye v. I.N.S.*, 79 F.3d 118, 120 (9th Cir. 7

1996) (“Issues raised for the first time in the reply brief are waived.”); *DocuSign, Inc. v. Sertifi*, 8 Inc., 468 F. Supp. 2d 1305, 1307 (W.D.

Wash. 2006) (same). 9 Even if Snyder had properly made his request for “Court-authorized administration of the 10 oath by a neutral officer under Rule 28(a)(2),” Dkt. No. 31 at 4, that request is too vague to grant. 11 Snyder neither identifies a suitable officer nor a procedure to select one. 12 That lack of detail pervades other aspects of Snyder’s motion, which is almost entirely 13 devoid of specifics about the procedures he seeks or how they would comport with Rule 30’s 14 requirements.

Although Snyder requests “audio/visual” recording, he does not specify whether he 15 seeks recording by one or both methods or identify who would do the recording or certification. 16 The motion seeks permission to take the depositions remotely, Dkt. No. 28 at 3, but it fails to 17 identify where the oath-administering officer would be located or specify how the depositions 18 would be taken—by telephone or “other remote means.” Fed.

R. Civ. P. 30(b)(4). Nor has Snyder 19 demonstrated that he could have the depositions certified as required by Federal Rule of Civil 20 Procedure 30(f)(1). Consequently, Snyder has not shown that the depositions would comply with 21 Court rules or that the resulting recordings would have sufficient indicia of reliability to be used 22 as the “official record” as Snyder requests.

Dkt. No. 28 at 3. Accordingly, the Court denies the 23 motion. See, e.g., *Alcorn v. City of Chicago*, 336 F.R.D. 440, 445 (N.D. Ill. 2020) (noting that the 24 Federal Rules of Civil Procedure do not permit someone to simply “press the record button in a 1 remote deposition” because the requirements in Rules 28 and 30 “cannot be so easily 2 circumvented”); *Raiser v. San Diego Cnty.*, No. 19-cv-0751-GPC-KSC, 2021 WL 2886048, at *7– 3 8 (S.D.

Cal. July 9, 2021) (denying motion to conduct depositions without a deposition officer 4 who met the requirements of Federal Rules of Civil Procedure 28 and 30(b)), *aff’d sub nom. Raiser 5 v. Cnty. of San Diego*, No. 21-56158, 2023 WL 1813492 (9th Cir. Feb. 8, 2023). 6 III. CONCLUSION 7 For the foregoing reasons, the Court DENIES Snyder’s Motion for Order Permitting 8 Remote Deposition by Audio/Video Recording without Court Reporter, with Later Transcription.

9 Dkt. No. 28. 10 Dated this 20th day of January, 2026. 11 A 12 Lauren King United States District Judge 13 14 15 16 17 18 19 20 21 22 23 24