

**Rule 30(b)(6) Requires A Parent Corporation To Produce A Witness To Testify Regarding The Knowledge Of Its Foreign Subsidiary. (Thynge, MJ)**

*Ethypharm S.A. v. Abbott Laboratories*

In *Ethypharm S.A. v. Abbot Labs.*, No. 08-126-SLR-MPT, 2010 U.S. Dist. LEXIS 120544 (D. Del. November 15, 2010), Ethypharm requested an order compelling U.S.-based Abbott Labs (“Abbott”) to produce a witness for a Rule 30(b)(6) deposition to testify regarding the knowledge of Abbott’s wholly-owned foreign subsidiary. In opposition, Abbott argued that the Court should not compel the testimony because it would effectively circumvent Ethypharm’s inability to compel the deposition of a foreign national under FRCP Rule 30. *See id.* at \*35. Ruling in favor of Ethypharm, Magistrate Judge Thynge emphasized that Ethypharm was seeking a Rule 30(b)(6) deposition of Abbott, and not of a foreign national. Because Abbott exercised control over its foreign subsidiary, it was required to produce a witness to testify regarding that foreign subsidiary’s knowledge under Rule 30(b)(6). *Id.* at \* 36 - \* 45.