

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

GARY TORENCE SMITH,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 2:09-cv-1055-MEF
	)	(WO – Do Not Publish)
LOUIS BOYD, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

Before the Court is Defendants’ Motion to Submit Party Testimony at Trial by Deposition (Doc. #160). In this Motion, Defendants request that Defendant Ibeth Jones be deposed by videotape for use at trial, as she lives over 500 miles from Montgomery, Alabama and is preparing to start a new job, which she cannot be excused from, the week trial in this matter is scheduled to begin. Given these exceptional circumstances, Defendants’ motion (Doc. #160) is hereby GRANTED. Defendants’ shall conduct the video deposition of Defendant Ibeth Jones, at their expense, on or before March 1, 2013 in a manner where Plaintiff Gary Torence Smith can attend and fully participate. It is further ordered that Defendants may submit the video deposition testimony of Defendant Ibeth Jones for use at the upcoming trial in this matter.

DONE this the 22<sup>nd</sup> day of February, 2013.

/s/ Mark E. Fuller  
UNITED STATES DISTRICT JUDGE