

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

MICHAEL ZIEHLKE,	)	1:08-cv-1802-AWI-GSA
	)	
Plaintiff,	)	
	)	ORDER RE STIPULATION TO EXCLUDE
v.	)	MINOR CHILDREN’S TESTIMONY
	)	
THE CITY OF ANGELS CAMP, and	)	(Doc. 38)
CHRIS COMFORT, individually and as	)	
employee of the CITY OF ANGELS	)	
CAMP, TONY TACHEIRA, individually	)	
and as the CHIEF OF POLICE OF THE	)	
CITY OF ANGELS CAMP, and DOES	)	
1 through 20, inclusive,	)	
	)	
Defendants.	)	

On August 20, 2009, the parties filed a Stipulation Re: Exclusion of Minor Children’s Testimony. More particularly, the parties agreed that were Defendants to forego taking the depositions of Plaintiff’s minor children - Breanna Ziehlke and Michael Ziehlke, percipient witnesses to the event giving rise to the instant matter - Plaintiff would agree not to call the minor children as witnesses at trial, nor use any minor child’s testimony in any manner in the action. (Doc. 38 at 1-2.)

//  
//  
//  
//

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

In consideration of the Stipulation filed by the parties, IT IS HEREBY ORDERED that:

1. Defendants shall not take the depositions of minors Breanna Ziehlke and Michael Ziehlke; and
2. Plaintiff shall not call minors Breanna Ziehlke and Michael Ziehlke as witnesses at trial, nor use in any manner Breanna Ziehlke and Michael Ziehlke's testimony in the instant action.

IT IS SO ORDERED.

**Dated: October 21, 2009**

**/s/ Gary S. Austin**  
**UNITED STATES MAGISTRATE JUDGE**