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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DOMINIC HANNA,)	Case No: 1:14-cv-00142-LJO-SKO
Plaintiff,)	STIPULATION FOR AN ORDER FOR PLAINTIFF'S DEPOSITION IN CALIFORNIA HEALTH CARE FACILITY, STOCKTON, VIA VIDEO, AND ORDER THEREON
vs.)	
COUNTY OF FRESNO, et al.)	
Defendants.)	

Pursuant to defendants' original Notice of Deposition, the deposition of the plaintiff, Dominic Hanna, was scheduled for two days, March 23 and 24, 2016, at the North Kern State Prison Infirmary in Delano, California. The deposition was to be videotaped and that was acceptable to the Litigation Coordinator there. Plaintiff's mental examination had been ordered conducted there, and videotaped, on January 11 pursuant to this Court's Orders. (Documents 85 and 96)

On March 9, 2016, the Litigation Coordinator's Office at North Kern State Prison advised all counsel that on February 3, 2016, plaintiff had been transferred to the California Health Care Facility, part of the Division of Adult Institutions for the California Department of Corrections and Rehabilitation, in Stockton. Counsel have spoken with the Litigation Coordinator's Office there and have been advised that it will not be possible for the deposition to go forward on the dates originally set for Mr. Hanna's deposition, and that a deposition by videotape is not permitted (although with a Court Order it may be permitted).

1 The parties stipulate that due to the defendants' inability to take the deposition
2 when originally scheduled, plaintiff's deposition may be taken beyond the April 8, 2016,
3 non-expert discovery cut-off. The deposition will be reset to a date agreeable to the
4 parties and the California Health Care Facility, Stockton.

5 Pursuant to FRCP 30(a)(2)(B), an order from this court is required to take the
6 deposition of plaintiff Hanna, a prison inmate. Further California Health Care Facility,
7 Stockton, requires an order from this court to allow defendants to record the deposition
8 via certified court reporter and videotaping.

9 IT IS SO STIPULATED.

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Dated: March 23, 2016 STAMMER, McKNIGHT, BARNUM & BAILEY LLP

By /s/ Carey H. Johnson
Carey H. Johnson
Attorneys for Defendants

Dated: March 23, 2016 CAROLYN D. PHILLIPS
ROBERT NAVARRO

By /s/ Carolyn D. Phillips
Carolyn D. Phillips
Attorneys for Plaintiff

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ORDER

GOOD CAUSE APPEARING, the Court grants the request for an order pursuant to Federal Rules of Civil Procedures, rule 30(a)(2)(B), and for leave to take the deposition beyond the non-expert witness discovery deadline of April 8, 2016.

Accordingly, IT IS HEREBY ORDERED that:

1. The deposition of plaintiff Dominic Hanna shall be taken at the California Health Care Facility, Stockton, pursuant to Federal Rules of Civil Procedures, rule 30(a)(2)(B), on a date agreeable to the parties and the facility;
2. The deposition of plaintiff Dominic Hanna may be taken beyond the non-expert witness discovery deadline of April 8, 2016; and,
3. The deposition of plaintiff Dominic Hanna shall be recorded via a certified court reporter and by audio-visual means.

IT IS SO ORDERED.

Dated: March 23, 2016

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE