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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LESLIE NAPPER, JANET FISCHER, JACQUIE  
EICHHORN-SMITH, TED YANELLO, and  
LYNDA MANGIO, on behalf of themselves and  
all others similarly situated,

Plaintiffs,

v.

COUNTY OF SACRAMENTO; BOARD OF  
SUPERVISORS OF THE COUNTY OF  
SACRAMENTO; County Supervisor ROGER  
DICKINSON; County Supervisor JIMMIE YEE;  
County Supervisor SUSAN PETERS; County  
Supervisor ROBERTA MACGLASHAN; County  
Supervisor DON NOTTOLI; SACRAMENTO  
COUNTY DEPARTMENT OF BEHAVIORAL  
HEALTH SERVICES; ANN EDWARDS-  
BUCKLEY, Director, Department of Behavioral  
Health Services; MARY ANN BENNETT, Mental  
Health Director,

Defendants.

Case No. 2:10-cv-1119

**ORDER RE: EXPEDITED  
DISCOVERY**

Date: June 30, 2010  
Time: 10:00 AM  
Place: Courtroom 24  
Judge: Hon. Edmund F. Brennan

1 Plaintiffs' Ex Parte Application for an Order Permitting Expedited Discovery and  
2 Depositions, Dckt. No. 73, came on for hearing before the undersigned at 10:00 a.m. on June 30,  
3 2010. William S. Freeman, Esq. appeared on behalf of Plaintiffs, and Rick Heyer, Esq. and June  
4 Powells-Mays, Esq. appeared on behalf of Defendants.

5 After considering the papers submitted by the parties in connection with the Application  
6 and other papers in the Court's file, and hearing arguments of counsel, and good cause appearing,  
7 the Court hereby ORDERS as follows:

8 1 Plaintiffs' Ex Parte Application for an Order Permitting Expedited Discovery and  
9 Depositions, Dckt. No. 73, is granted in part and denied in part.

10 2 Plaintiffs shall be entitled to conduct two (2) depositions during the time period  
11 requested in the motion (July 2-12, 2010), specifically the depositions of Defendants Ann  
12 Edwards-Buckley and Mary Ann Bennett. Plaintiffs may not take a third deposition as requested,  
13 but this portion of the Court's Order is without prejudice and Plaintiffs may apply to the Court for  
14 leave to take a third deposition during this period **if the deponent is specifically identified and**  
15 **plaintiffs demonstrate that such a deposition is necessary.** The parties shall confer to work out  
16 the details regarding the dates, times and locations of the two depositions ordered.

17 3 The time spent in taking the deposition of each witness shall count against the 7-  
18 hour time limit for each witness's deposition set forth in Fed. R. Civ. P. 30(d)(1). If a witness's  
19 deposition does not consume 7 hours, Plaintiffs will be entitled to complete the deposition of that  
20 witness at a subsequent time, using the unexpired portion of the 7 hours. If Plaintiffs desire to  
21 examine a witness for more than a total of 7 hours, Plaintiffs shall seek leave of the Court to do  
22 so.

23 4 Defendants' request for leave "to submit deposition testimony in opposition to  
24 Plaintiffs' Reply [in Support of Plaintiffs' Motion for a Preliminary Injunction]," Dckt. No. 75 at  
25 10, is denied without prejudice since the Motion for a Preliminary Injunction is not noticed for  
26 hearing before the undersigned, and therefore the undersigned does not have the authority to grant  
27 such a request. If Defendants seek leave to file such a sur-reply, they shall direct the request to  
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1 the assigned district judge (before whom the Motion for a Preliminary Injunction is noticed to be  
2 heard).

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4 **IT IS SO ORDERED.**

5 Dated: July 1, 2010

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Hon. Edmund F. Brennan  
United States Magistrate Judge

**SUBMITTED BY:**

Dated: June 30, 2010

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By: /s/ William S. Freeman  
William S. Freeman

Attorneys for Plaintiffs

**APPROVED AS TO FORM:**

Dated: June 30, 2010

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## Attorneys for Defendants

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