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8 **UNITED STATES DISTRICT COURT**  
 9 **EASTERN DISTRICT OF CALIFORNIA**  
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|   |   |                                     |
|---|---|-------------------------------------|
| 11 RICHARD MALOTT,                                | ) | Case No. 2:14-cv-01040-KJM-EFB      |
|   | ) |                                     |
| 12 Plaintiff                                      | ) | <b>STIPULATION TO SHORTEN TIME</b>  |
|   | ) | <b>TO HEAR DEFENDANT KEN</b>        |
| 13 v.   | ) | <b>ADDISON’S MOTION FOR</b>         |
|   | ) | <b>PROTECTIVE ORDER; [PROPOSED]</b> |
| 14  | ) | <b>ORDER</b>                        |
| 15 PLACER COUNTY, NEVADA COUNTY;                  | ) |                                     |
| SACRAMENTO COUNTY; Placer County                  | ) |                                     |
| 16 Sheriff’s Deputy KEN ADDISON; Sacramento       | ) |                                     |
| County Sheriff’s Department Deputy JAVIER         | ) |                                     |
| 17 BUSTAMANTE; Nevada County Sheriff’s            | ) |                                     |
| Department Deputy DAVE DEVOGELAIRE;               | ) |                                     |
| 18 Sacramento County Sheriff’s Department Deputy  | ) |                                     |
| DARIN EPPERSON; Placer County Sheriff’s           | ) |                                     |
| 19 Department Detective MATT HARDCASTLE;          | ) |                                     |
| 20 Sacramento County Sheriff’s Department         | ) |                                     |
| Detective MICHELLE HENDRICKS;                     | ) |                                     |
| 21 Sacramento County Sheriff’s Department Sheriff | ) |                                     |
| SCOTT JONES; and DOES 1 through 25,               | ) |                                     |
| 22 inclusive,                                     | ) |                                     |
| 23 Defendants.                                    | ) |                                     |

24  
 25 Whereas, Plaintiff Richard Malott, Defendants Placer County, Matt Hardcastle, Ken  
 26 Addison, Sacramento County, Darin Epperson, Javier Bustamante, Michelle Hendricks and Scott  
 27 Jones have agreed to hear Defendant Ken Addison’s motion for a protective order on shortened  
 28 time;

1           Whereas, Defendant Ken Addison has indicated that his motion for a protective order will be  
2 a request to have his deposition stenographically recorded and/or audio recorded, but not video  
3 recorded since he performs undercover activities for the Placer County Sheriff's Office and the use  
4 of video recording has the potential to impact his personal safety;

5           Whereas, this stipulation is necessary and in the interest of justice because the standard  
6 noticing period for a motion for a protective order would require a hearing after the scheduled date  
7 of Defendant Ken Addison's deposition on March 8, 2017;

8           Whereas, re-scheduling Defendant Ken Addison's deposition for a later date would create  
9 significant other scheduling issues since Plaintiff is interested in having the deposition occur before  
10 the schedule settlement conference on March 9, 2017;

11           Whereas, the parties agree to file their joint statement regarding the dispute by 12:00 p.m. on  
12 Friday, February 24, 2017;

13           Whereas, the parties are also agreeable to having the motion heard by telephone should that  
14 fit better on the judge's calendar;

15           NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties, by and  
16 through their respective counsel of record, that Defendant Ken Addison's motion for a protective  
17 order should be heard on shortened time on a date and time permitted by this Court, but before the  
18 date of Ken Addison's scheduled deposition on March 8, 2017.

19 Dated: February 21, 2017

PLACER COUNTY COUNSEL'S OFFICE

*/s/ Clayton T. Cook*

By: \_\_\_\_\_

CLAYTON T. COOK  
Attorney for Defendants PLACER  
COUNTY, KEN ADDISON, and MATT  
HARDCASTLE

24 Dated: February 21, 2017

LAW OFFICE OF STEWART KATZ

*/s/Stewart Katz*

By: \_\_\_\_\_

STEWART KATZ  
Attorney for Plaintiff  
RICHARD MALOTT

1 Dated: February 21, 2017

CREGGER & CHALFANT LLP

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*/s/ Robert L. Chalfant*

By: \_\_\_\_\_

ROBERT L. CHALFANT  
Attorney for Defendants SACRAMENTO  
COUNTY, SACRAMENTO COUNTY  
SHERIFF SCOTT JONES, DEPUTY JAVIER  
BUSTAMANTE; DETECTIVE MICHELLE  
HENDRICKS; DEPUTY DARIN  
EPPERSON

**ORDER**

GOOD CAUSE APPEARING THEREFORE, the Court hereby orders that Defendant Ken Addison’s motion for protective order (ECF No. 103) be heard on shortened time and that the hearing occur on March 1, 2017 at 10:00 a.m. in Courtroom No. 8. The parties’ shall file their joint statement by no later than 12:00 p.m. on February 24, 2017.

IT IS SO ORDERED.

Dated: February 23, 2017.



EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE