

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PATRICK M. McCOLLUM,  
Plaintiff,

No. C 04-03339 CRB

**ORDER**

v.

THE STATE OF CALIFORNIA, et al.,  
Defendants.

Now pending before the Court is defendants' motion to quash the subpoena for the deposition of Cal Terhune. Defendants' motion to quash is GRANTED without prejudice to plaintiff re-serving the subpoena if Mr. Terhune's testimony is relevant following the Court's rulings on the pending summary judgment motions.

**IT IS SO ORDERED.**

Dated: January 6, 2009



CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE