

1 UNITED STATES DISTRICT COURT
2 Northern District of California

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4 TONY RAY JONES,

No. C 12-1416 MEJ

5 Plaintiff,

**ORDER RE: OFFICER GARCIA
DEPOSITION**

6 v.

7 CITY OF OAKLAND, et al.,

8 Defendants.
9

10 The Court is in receipt of the parties' Joint Statement of Discovery Issues in Dispute, filed
11 May 31, 2013. Dkt. No. 36. Plaintiff seeks to depose Officer Garcia, whom Defendants agree
12 Plaintiff has a right to depose. However, Defendants state that Officer Garcia's treating medical
13 provider opines that Officer Garcia's recovery would be set back were he to be subject to a
14 deposition at this time. Defendants are willing to make Officer Garcia available for deposition, but
15 need additional time to resolve his treating medical provider's concerns. Upon review of the parties'
16 arguments, the Court ORDERS as follows:

- 17 1) The parties shall meet and confer by June 11, 2013 for the purpose of determining a date to
18 conduct Officer Garcia's deposition. If medical necessity requires, Officer Garcia's
19 deposition may take place over the course of multiple days. The parties shall file a
20 stipulation regarding Officer Garcia's deposition schedule by June 14, 2013.
- 21 2) If Officer Garcia's medical provider opines that Garcia is unable to complete the deposition
22 within 30 days, even if it takes place over the course of multiple days, Defendants shall
23 provide a declaration from the medical provider by June 14, 2013.

24 **IT IS SO ORDERED.**

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26 Dated: June 4, 2013

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Maria-Elena James
United States Magistrate Judge