

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

JOHN GARD,

Plaintiff,

v.

**UNITED STATES DEPARTMENT
OF EDUCATION,**

Defendant.

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Civil Action No. 00-1096 (PLF)

ORDER

Upon consideration of Defendant's Objection to the Magistrate Judge's October 15, 2008 Minute Order Denying Defendant's Motion for a Deposition De Bene Esse and Supporting Memorandum of Points and Authorities, any opposition thereto, and the entire record of this case, it is hereby

ORDERED that Defendant's Objection is sustained, and that Defendant shall be permitted to conduct a Deposition De Bene Ess of the witness Janice Steinbrueck by video teleconferencing equipment upon reasonable notice to Plaintiff at a time and location mutually convenient to the parties.

Date this ____ day of _____, 2008.

UNITED STATES DISTRICT JUDGE

cc:

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Assistant United States Attorney
Civil Division
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