

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

PATRICIA L. RUSSO-WOOD, as  
personal representative of the Estate of  
Steven Tyler Russo,

Plaintiff,

vs.

YELLOWSTONE COUNTY, *et al.*,

Defendants.

CV 17-38-BLG-TJC

**ORDER GRANTING IN  
PART AND DENYING IN  
PART MOTION TO QUASH**

On February 14, 2018, Defendants Yellowstone County and Brian Degele filed a motion to quash deposition subpoenas to Sam Bofto and Terry Jessee. (Doc. 45.) Defendants also filed a motion to stay the depositions pending the Court's ruling on the motion to quash. (Doc. 47.) Plaintiff opposes the motion to quash and the request to stay. (Docs. 49, 50.)

The Court held a Telephone Conference with counsel for the parties on February 15, 2018 to address the motion to quash. James Kommers appeared for Plaintiff; Levi Robinson appeared for Yellowstone County and Brian Degele; Harlan Krogh appeared for the City of Billings; and Mark Thieszen appeared for Sandra Leonard.

Having heard from counsel, and upon review of the parties' submissions, IT IS HEREBY ORDERED as follows:

1. The motion to quash the deposition subpoena to Sam Bofto is **GRANTED**. Mr. Bofto's deposition is to be rescheduled for next week.
2. The motion to quash the deposition subpoena to Terry Jessee is **DENIED**. Mr. Jessee's deposition shall go forward as scheduled on February 16, 2018 at 3:00 p.m.
3. The Scheduling Order is **AMENDED** to extend the Discovery Deadline to **February 23, 2018**. If the parties are unable to agree on a mutually convenient date for the rescheduling of Mr. Bofto's deposition, counsel may stipulate to extend the discovery deadline in order to complete Mr. Bofto's deposition.
4. The motion to stay depositions is **DENIED as MOOT**.

**SO ORDERED.**

DATED this 15th day of February 2018.

  
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TIMOTHY J. CAVAN  
United States Magistrate Judge