

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT FOR NEW MEXICO**

RUSSELL L. HAMMONDS,
and ROBERTO STEVE RODRIGUEZ,

Plaintiffs,

No. 2:16-cv-01230-GBW-KRS

v.

UNITED STATES OF AMERICA,

Defendant.

**ORDER GRANTING IN PART AND DENYING IN PART ORAL MOTION FOR
PROTECTIVE ORDER AND SETTING LOCATION FOR DEPOSITION**

THIS MATTER comes before the Court following the September 22, 2017 status conference held at the request of the parties. During the proceedings, the parties requested the Court to consider the argument of the parties and to make a ruling on the location where Plaintiffs' depositions might be taken by the Government. The Government maintained that both Plaintiffs should submit to their depositions being taken at the United States Attorney's Office in Albuquerque, New Mexico. Plaintiffs asserted that they should be deposed at an unspecified Court Reporter's Office in Las Cruces, New Mexico. Plaintiffs orally moved for a protective order on that basis. The Court considered the parties' respective arguments, the applicable law, and ruled from bench, granting in part and denying in part Plaintiffs' motion for protective order.

IT IS, THEREFORE, ORDERED that Plaintiffs' oral motion for a protective order is **GRANTED IN PART** and **DENIED IN PART** for the reasons stated on the record.

IT IS FURTHER ORDERED that in the event the Government wishes to take the depositions of Plaintiffs Russell L. Hammonds and/or Roberto Steve Rodriguez, those

depositions shall be scheduled for and taken at the Offices of the United States Attorney in Las Cruces, New Mexico, or at such other office location that is agreeable to the attorney for the Government and the attorney for Plaintiffs.

A handwritten signature in dark ink, reading "Kevin Sweazea", is positioned above a horizontal line. The signature is written in a cursive style.

KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE