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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 SCHAWN JAMES CRUZE,

11 Plaintiff,

12 v.

13 BERNIE WARNER et al.,

14 Defendants.

CASE NO. C13-5220 BHS-JRC

ORDER GRANTING PLAINTIFF'S
MOTION FOR A PROTECTIVE
ORDER

15 The District Court has referred this 42 U.S.C. § 1983 civil rights action to United States
16 Magistrate Judge J. Richard Creatura. The Court's authority for the referral is 28 U.S.C. §
17 636(b)(1)(A) and (B), and Magistrate Judge Rules MJR3 and MJR4.

18 Plaintiff filed two motions asking the Court to issue a protective order that would prevent
19 defendants from deposing him (ECF Nos. 52 and 53). Plaintiff alleges that the prison has not
20 granted him time in the prison law library to prepare for a deposition. He also alleges that he has
21 not been given 14-day notice of the deposition as required by Fed. R. Civ. P. 32(a)(5)(A) (ECF
22 No. 52, p.1).

1 The Court grants plaintiff's motions. Defendants must give plaintiff at least 14 days
2 notice if they wish to use a deposition against a person. *See*, Fed. R. Civ. P. 32(a)(5)(A). Because
3 the deposition is scheduled for September 19, 2013, the Court will not wait to rule on these
4 motions until the noting date of October 4, 2013. The Court expects that plaintiff will participate
5 in the deposition if it is properly re-noted.

6 Dated this 17th day of September, 2013.

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8 J. Richard Creatura
9 United States Magistrate Judge