

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS,
SAN ANTONIO DIVISION

Filed 9/24/08
Clerk, U. S. District Court
Western District of Texas
By [Signature] Deputy

TOM RETZLAFF,
Plaintiff,

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v.

CAUSE NO. SA-08-CA-170-OG

LYNDA YVONNE DE LA VINA, DIANE
BAKER WALZ, KYLE MERLETTE
SNYDER, KATHERINE ANNE POPE,
Defendants.

ORDER

Before the Court is plaintiff's second motion and notice of motion for protective order. (Docket no. 10.) Although plaintiff is represented by counsel, he has filed this motion pro se. Plaintiff again seeks to cancel his deposition by defendants, this time on the ground that he has received no notice. The deposition is scheduled for this morning at 10:00 a.m.

It appears that plaintiff has received proper notice of the deposition through his counsel of record. Response (docket no. 12) Ex. A. Consequently, plaintiff has failed to show good cause for cancellation of his deposition. His motion for protective order is DENIED. Plaintiff is ORDERED to appear and provide testimony at the time and place designated in the first amended notice of deposition attached to the response.

SIGNED this 24 day of April, 2008.

[Signature]

ORLANDO L. GARCIA
UNITED STATES DISTRICT JUDGE