

In addition, plaintiff requests an evidentiary hearing so that he could present sworn testimony in support of this motion.

4. Please take note that plaintiff will bring this motion for hearing before this court on _____, at _____, in San Antonio, Texas.

Respectfully submitted,

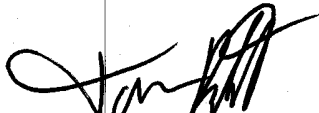


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PLAINTIFF

CERTIFICATE OF SERVICE

I certify that a copy of plaintiff's motion and notice of motion to suppress deposition and for a protective order was served on defendants through their counsel of record, Lars Hagen, by telephonic document transfer to fax number (512) 320-0667, on February 20, 2009, before 5:00 p.m. local time of the recipient.



Tom Retzlaff

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

TOM RETZLAFF,
Plaintiff,

Vs.

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

CIVIL ACTION NO. 5:08-CV-00170-OLG

ORDER SETTING HEARING

By order of this court, a hearing has been set for plaintiff Tom Retzlaff's motion to suppress deposition on the _____ day of _____, 2009, at _____ In the Federal Courthouse in San Antonio. Said hearing is for the receipt of testimony and evidence.

SIGNED this _____ day of February, 2009.

X _____
PRESIDING JUDGE