

22ND JUDICIAL DISTRICT COURT FOR THE PARISH OF ST. TAMMANY

STATE OF LOUISIANA

NO. 2012-10436

DIVISION "J"

SALVADOR J. LIBERTO, JR., WILLIAM M. MAGEE,
AND JAMES G. COATE, JR.

VERSUS

DANIEL G. ABEL, LLOYD RAYMOND MARTIN, III,
NICOLE EASTERWOOD MARTIN, CAROL ROBINSON,
JOHN GEORGE LAMPO, ANDREA SMITH LAMPO, MARTIN E. REGAN, JR.,
KENNETH A. KULIK, AND CRAIG HENRY STEWART, ET AL

FILED

August 22, 2012

[Signature]
DEPUTY CLERK

**MOTION TO QUASH REQUEST TO ISSUE SUBPOENAS
FILED BY DANIEL G. ABEL FOR THE DEPOSITIONS OF JUDGE
MARY DEVEREUX AND JUDGE WILLIAM BURRIS AND FOR
PROTECTIVE ORDER AND SANCTIONS**

NOW INTO COURT, comes plaintiff, William M. Magee, who respectfully moves the Court to quash the Request to Issue Deposition Subpoenas, and any Subpoena issued as a result thereof, filed with this Court on August 16, 2012, and for a Protective Order with regard to the same. A copy of the pleading entitled "REQUEST TO ISSUE DEPOSITION SUBPOENAS" is attached hereto as Exhibit "A." The requested subpoenas are to require the appearance of the two witnesses on Friday, November 2, 2012 at the Louisiana Bar Association Center, 601 St. Charles Avenue, New Orleans, Louisiana. No actual notice of deposition was filed with the request. The grounds for plaintiff's motion are set forth in the attached supporting memorandum.

WHEREFORE, plaintiff, William M. Magee, prays that an Ex Parte order issue quashing the "REQUEST TO ISSUE DEPOSITION SUBPOENAS" and any subpoena issued as a result thereof, for the two named witnesses, and that the defendant, Daniel G. Abel, be ordered to appear before the court at a time to be set by the court, why a protective order should not be entered pursuant to Louisiana Code of Civil Procedure articles 1356, 1422, 1426, and further

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STATE OF LOUISIANA
FILED FOR RECORD
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CLERK OF COURT

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why he should not be sanctioned for the filing of this pleading in violation of LSA-C.C.P. arts. 222, 224, 863, and 1346.

Respectfully submitted,


WILLIAM M. MAGEE
In Proper Person

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading has been served upon all counsel of record by placing same in the United States mail, postage prepaid and properly addressed, this 22 day of August, 2012.


WILLIAM M. MAGEE

FILED

AUG 22 2012

MARISE PRIETO - CLERK

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RULE TO SHOW CAUSE

Considering the foregoing Motion to Quash Request to Issue Deposition Subpoenas and memorandum in support thereof;

IT IS HEREBY ORDERED that the Request to Issue Deposition Subpoenas and any subpoenas issued in connection therewith, filed herein by defendant, Daniel G. Abel, seeking the depositions of Judge William Burris and Judge Mary Devereux, at a location outside the parish of their residence in violation of LSA-C.C.P. art. 1436 and set without consultation with all opposing parties as to the time and location of the depositions, are hereby quashed and vacated by the court.

IT IS HEREBY FUTHER ORDERED that the defendant, Daniel G. Abel, appear and show cause on the 25th day of October, 2012 at 10:00 o'clock a.m. why plaintiff's motion for protective order should not be granted pursuant to the provisions of Louisiana Code of Civil Procedure arts. 1356, 1422, 1426, and further why he should not be sanctioned for the filing of this pleading in violation of LSA-C.C.P. arts. 222, 224, 863, and 1346 and for all costs of this proceeding.

Covington, Louisiana this 4th day of September, 2012.

W.M. D.
J U D G E

See Service Information Page 4

PLEASE SERVE:

Daniel G. Abel
2421 Clearview Parkway
Suite 106
Metairie, Louisiana 70001