

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MICHAEL J. QUILLING, as Receiver
for Sardaukar Holdings, IBC and
Bradley C. Stark

Plaintiff,

VS.

HANS TSCHBAUM, ET AL.

Defendants.

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NO. 3-05-CV-1465-L

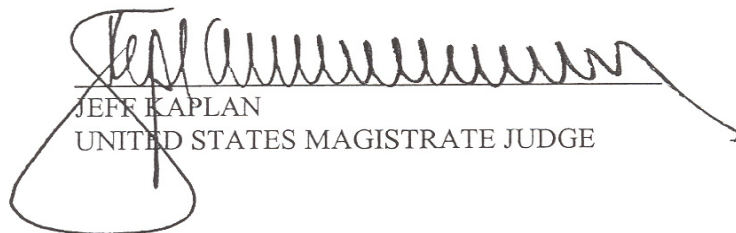
ORDER

Defendants Hans Tschebaum and Michael Tschebaum have filed a motion for protective order [Doc. #18] in connection with their deposition in this fraudulent transfer case brought by Michael J. Quilling, as Receiver for the Sardaukar Holdings Receivership Estate. As grounds for their motion, defendants contend that their depositions should be taken in Los Angeles, California, where they both reside. The Receiver counters that the depositions should take place in Dallas, Texas, where this case and the underlying receivership action is pending.

A hearing on the motion was held on April 4, 2006 before U.S. Magistrate Judge Jeff Kaplan. After considering the pleadings and hearing the arguments of counsel, the court determines that defendants should be deposed in Dallas if they appear at the preliminary injunction hearing on April 28, 2006. If either or both defendants travel to Dallas for that hearing, the deposition of that defendant will be taken immediately upon the conclusion of the hearing. Otherwise, the court will determine the location of the depositions based on evidence presented at the preliminary injunction hearing.

SO ORDERED.

DATED: April 4, 2006.



JEFF KAPLAN
UNITED STATES MAGISTRATE JUDGE