

File

ADD #20

9/5

1 Gene E. Forte
688 Birch Court
2 Los Banos, CA, 93635
Telephone: (209) 829-1116
3 Facsimile: (209) 829-1952

4 In Propria Persona

7 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
8 **IN AND FOR THE COUNTY OF MERCED**

10 GENE FORTE,
11 Plaintiff,

12 vs.

14 TOMMY JONES, et al.

19 Defendant.

Case No. CU150880

**NOTICE OF MOTION TO QUASH
DEPOSITION SUBPOENA OF
MEDICAL RECORDS, OR TO LIMIT
IT, OR HAVE THE RECORDS
INSPECTED IN CAMERA**

*DKP due - 9/29
8*

**Date: October 10, 2008
Time: 8:15pm
Dept: Law and Motion
Trial: December 16, 2008**

21 TO EACH PARTY AND ATTORNEY OF RECORD IN THIS ACTION:


22 PLEASE TAKE NOTICE THAT on October 10, 2008 at 8:15 a.m. in Courtroom 4 of the
23 above court, located at 627 W. 21st Street, Merced, CA, or as soon thereafter as this matter can be
24 heard, Plaintiff Gene Forte will and hereby does move the court for an order quashing or
25 modifying the subpoena issued by defendant Tommy Jones to Los Banos Memorial
26 Hospital/Memorial Medical Plaza/Billing. Alternatively, plaintiff requests that the court inspect
27 the records in camera for relevance prior to disclosure.

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The motion is brought pursuant to Code of Civil Procedure § 1987.1 on the ground that the subpoena is overbroad in nature and not calculated to lead to the discovery of admissible evidence and violates plaintiff's right to privacy.

The motion will be based upon the Memorandum of Points & Authorities, the Declaration of Gene Forte, the entire court file, and any other oral and documentary evidence to be presented at the hearing of this matter.

Dated: September 5, 2008



EUGENE FORTE
In Propria Persona

