

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

O. JOHN BENISEK, *et al.*,

*Plaintiffs,*

v.

LINDA H. LAMONE, *et al.*,

*Defendants.*

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Case No. 13-cv-3233

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**MOTION FOR PROTECTIVE ORDER AND TO QUASH NON-PARTY  
DEPOSITION SUBPOENAS SERVED ON THOMAS V. MIKE MILLER, JR.,  
MICHAEL E. BUSCH, JEANNE HITCHCOCK, AND RICHARD STEWART**

For the reasons stated in the accompanying memorandum, Thomas V. Mike Miller, Jr., President of the Maryland Senate, Michael E. Busch, Speaker of the Maryland House of Delegates, Jeanne Hitchcock, and Richard Stewart, through counsel, move pursuant to Fed. R. Civ. P. 45(d)(3)(A) for a protective order and to quash the non-party deposition subpoenas served on them by the plaintiffs, on the ground that their legislative privilege against compulsory evidentiary process protects them from being compelled to testify in this matter about their legislative activity. Further, the deposition subpoenas served on President Miller and Speaker Busch are unduly burdensome and should be quashed for that reason as well.

A proposed order is attached.

Respectfully submitted,

BRIAN E. FROSH  
Attorney General of Maryland

Dated: January 9, 2017

\_\_\_\_\_/s/\_\_\_\_Jennifer L. Katz\_\_\_\_\_  
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