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SANTA CLARA

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15 JOHN DOE

16 SUPERIOR COURT OF THE STATE OF CALIFORNIA

17 IN AND FOR THE COUNTY OF SANTA CLARA

18 UNLIMITED JURISDICTION

19 **BY FAX**

20 E. VAN CULLENS,

21 Plaintiff,

22 v.

23 JOHN DOE,

24 Defendant.

25 No. CV 814664

26 NOTICE OF MOTION AND MOTION
27 TO QUASH SUBPOENA

28 Date: April 17, 2003

Time: 9:00 a.m.

Dept: 2, Hon. William J. Elfving

29 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

30 PLEASE TAKE NOTICE THAT, on Thursday, April 17, 2003, at 9:00 a.m., or as soon
31 thereafter that the matter may be heard, in the courtroom of the Honorable William J. Elfving,
32 Department 2, 191 North First Street, San Jose, California 95113, Defendant John Doe
33 ("Defendant") will and hereby does move the Court for an Order, pursuant to Section 418.10 of the
34 Code of Civil Procedure, granting Defendant's Motion to Quash Subpoena.


35 The motion is made on the grounds that Plaintiff cannot establish a compelling need for the
36 discovery that outweighs the First Amendment rights of Defendant Doe.

37 NOTICE OF MOTION AND MOTION TO QUASH SUBPOENA

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1 Defendant's motion is based upon this Notice of Motion, the Motion to Quash Subpoena,
2 and the Declaration of Cindy A. Cohn in support thereof, filed concurrently herewith, the pleadings
3 on file in this case, and on such other and further argument and evidence as the Court may receive
4 at the hearing of this matter.

5
6 DATED: March 17, 2003

7 By 
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Attorneys for Defendant
JOHN DOE