

PLUNKETT & GIBSON, INC.

ATTORNEYS AT LAW
RENAISSANCE PLAZA, SUITE 1100
70NE LOOP4!O
SAN ANTONIO, TX 78216
TELEPHONE: (210) 734-7092
FACSIMILE: (210) 734_0379

E-Mail: hellerj@plunkett-gibson.com

JOHN A. HELLER
Board Certified, Labor & Employment
Texas Board of Legal Specialization

November 10, 2009

David P. Griffin
P.O. Box 1013
Johnson City, TX 78636

via CMRRR #71603901 984832490820

RE: Cause No. D-I-GN-09-002028; *David P. Griffin v. City of Austin, et. al.*; 126th
Judicial District; Travis County, Texas; Our File No. 3995-012

Dear Mr. Griffin:

In connection with the above-referenced matter, enclosed please find the following document filed with the court today:

- Motions by Defendant PACT to Quash "Subpoenas" and Notice of "Oral Depositions" for Protective Order.

Sincerely,

PLUNKETT & GIBSON, INC.

By: ~LAA112--
John A. Heller

JAH/ps
enclosure
#363183

cc: Robin Sanders (*via regular mail*)
Clark Richards (*via email*)
Linda Litowsky (*via elliteil*)

Michael Tigar, Angela Gillen, Javier Rivera, Kevin Muir, Mike Martinez, Ross Wilkison, William Guy, Terry Dyke, Lori Moya, Christine Brister, Thomas Sedberry, Cheryl Bradley, Sam Guzman, Mayor Will Wynn, Lee Leffingwell, Marc A. Ott (Austin City Manager), Sheryl Cole, Jennifer McPhail, Dave Sullivan, Jane Reina, Melvin Wrenn, Lewin Plunkett, Jerry Gibson, Clark Richards, Daniel Richards, Wrey Hinds, Tim Mahoney, Detective Matt Conley, Detective R. Smith, Linda Rivera, Mary Aleshire, Ronny Mack, Joel White, Karin Saldana, Aaron Jacques, Bob Bartley, Patty Gonzales, Lidia Agraz, Craig Berlin (Mr. TapeGuy), Mindy Montford, Roy Dunlap, Randall Kolb, Lemuel Williams, Jim Howerton, Arthur Sampson, Brian Blake, Steve Durchin, Susan D Harper, Orlando Lopez, Maria Saenz, Susan Saenz, Pam Thompson, Josh Bustemante, Alys Gisser, Robert Schneider. To the extent that any of these documents are intended as an actual subpoena compelling attendance of the individuals, Defendants file this motion to Quash and for protective Orders.

2. The documentation appears to be no more than Plaintiff giving multiple individuals notice that they might be called upon in the future for some form of discovery. The documents entitled "subpoena" fails to set a date for such to occur which would make it defective on its face. Further, the documents are not properly signed by anyone who could execute such document. Plaintiff invites the individuals to contact him regarding preferred dates. Therefore, these do not appear to be intended to be subpoenas that would compel these individuals to appear. However, in an abundance of caution and to avoid any misunderstanding or confusion, Defendant files this Motion to Quash under the Rules to prevent any claim that any of the individuals failed to take an action that they were compelled to do.

WHEREFORE, PREMISES CONSIDERED, Defendant PACT hereby requests that this Court, to the extent necessary, if at all, grant its motions to quash or, in the alternative, for

protective order providing that any "deposition" be postponed and that it be granted any other further relief to which it may be entitled.

Respectfully submitted,

PLUNKETT & GIBSON, INC.

By: *J A Heller*
John A. Heller.
State Bar No. 09394600

Renaissance Plaza
70 N.E. Loop 410, Suite 1100
San Antonio, Texas 78216
Telephone No.: (210) 734-7092
Telecopier No.: (210) 734-0379

ATTORNEYS FOR DEFENDANTS,
GARRY WILKISON, LINDA LITOWSKY,
CATHY BEAUDOIN, JACKIE GOODMAN,
CELIA HUGHES, EMANUEL LIMUEL, OSCAR
PALOMO, DANIEL SCARDINO, DEBORAH L.
HILL, HELENE CAUDILL and PUBLIC ACCESS
COMMUNITY TELEVISION ("PACT")

CERTIFICATE OF SERVICE

This is to certify that on the 10th day of November 2009, a copy of the foregoing document has been forwarded by certified mail, return receipt requested, to:

David P. Griffin
P.O. Box 1013
Johnson City, TX 78636
Plaintiff Pro Se

via CMRRR #71603901984832490820

Robin Sanders
Assistant City Attorney
City of Austin Law Department
P.O. Box 1546
Austin, Texas 78767-1546
Attorneyfor CityofAustin & Rondella HaWkind

via regular mail

J A Heller

John A. Heller