

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

JAN 22 2007

JEFFREY BARHAM, et al.,)
))
Plaintiffs,))
))
v.))
))
CHIEF CHARLES H. RAMSEY, et al.,))
))
Defendants.))
_____)

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

Case No. 02-2283 (EGS)(AK)

CONSENT ORDER

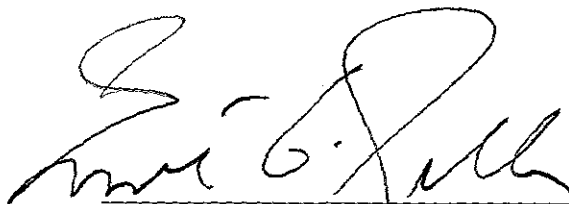
Pursuant to Notice of Deposition Pursuant to Fed. R. Civ. P. 30(b)(6), plaintiffs seek to depose Defendant District of Columbia ("District") upon the following area of inquiry:

The findings and recommendations made in the March 24, 2004 D.C. Council's "Report on Investigation of the Metropolitan Police Department's Policy and Practice in Handling Demonstrations in the District of Columbia ['March 24, 2004 Report']" and the December 1, 2004 Committee Report from Kathy Patterson, Chairperson, Committee on the Judiciary on "Bill 15-698, the 'First Amendment Rights and Police Standards Act of 2004'" ['December 1, 2004 Report']. The need for, and basis for, the District of Columbia's enactment of the First Amendment Rights and Police Standards Act of 2004.

In response, the District moved for a protective order providing that it not be required to produce such a deponent, on grounds of legislative immunity and separation of powers. Plaintiffs moved to compel the production of a designee to testify for the District on the area of inquiry.

At the same time, a substantially similar issue was briefed and adjudicated in Alliance v. Global Justice, et al. v. District of Columbia, et al., Civil Action No. 01-0811, Civil Action No. 01-0811 (PLF/JMF).

The parties have agreed to resolve this dispute and consent to the relief set forth in this Order. The above-referenced deposition topic will proceed in accordance with the authorizations and limitations set forth in Magistrate Judge Facciola's June 15, 2006 Memorandum Opinion in Alliance for Global Justice, et al. v. District of Columbia, et al., Civil Action 01-0811 (PLF/JMF). Broadly stated, the District is to produce one or more designees to testify about the executive branch of the District government's knowledge and views of the March 24, 2004 Report, the December 1, 2004 Report and the need for, and basis for, the District of Columbia's enactment of the First Amendment Rights and Police Standards Act of 2004. The District is protected from having to produce a designee to testify about knowledge and views of the District of Columbia Council.



EMMET G. SULLIVAN
United States District Judge

1/19/07

Serve upon:
All Counsel of Record