

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

2011 JAN 19 AM 11:36

CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY _____
DEPUTY

RANGE PRODUCTION COMPANY, §
PLAINTIFF, §

V. §

CAUSE NO. A-11-CA-011-LY

UNITED STATES ENVIRONMENTAL §
PROTECTION AGENCY AND LISA §
PEREZ JACKSON, ADMINISTRATOR, §
UNITED STATES ENVIRONMENTAL §
PROTECTION AGENCY, §
DEFENDANTS. §

ORDER

Before the Court are Plaintiff Range Production Company's Motion to Compel filed January 5, 2011 (Doc. #4); Defendants' Cross-Motion for Protective Order Quashing Subpoena and for Dismissal of Plaintiff's Complaint filed January 12, 2011 (Doc. #15); Defendants' Brief in Opposition to Motion to Compel and in Support of Cross-Motion for Protective order Quashing Subpoena and for Dismissal of Plaintiff's Complaint filed January 12, 2011 (Doc. #16); Plaintiff Range Production Company's Response in Opposition to Cross-Motion for Protective Order Quashing Subpoena and for Dismissal and Reply in Support of Motion to Compel filed January 17, 2011 (Doc. #24); and Plaintiff's Supplemental Appendix to its Motion to Compel filed January 18, 2011 (doc. #26). A hearing was held on all pending motions on January 18, 2011, at the conclusion of which the Court made the following rulings now memorialized in this order.

IT IS ORDERED that Plaintiff Range Production Company's Motion to Compel filed January 5, 2011 (Doc. #4) is **GRANTED TO THE FOLLOWING EXTENT**: Plaintiff Range Production Company may depose by oral examination, in the nature of a deposition pursuant to Federal Rule of Civil Procedure 30(b)(6), an officer, director, managing agent, or other person

designated by Defendants to testify on their behalf about information known or reasonably available to the United States Environmental Protection Agency that was requested in the subpoenas served on Defendants by Range Production Company. Such deposition may be taken on **Tuesday, January 25, 2011**, at a time and location agreed upon by the parties.

In all other respects, the motions remain pending before the Court at this time.

SIGNED this 19th day of January, 2011.



LEE YEAKEL
UNITED STATES DISTRICT JUDGE