

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

SEND

Eastern Division, 3470 12<sup>th</sup> Street, Riverside, California

Case No. EDCV 04-00223-VAP (SGLx) Date July 11, 2005

Title Securities and Exchange Commission-v-MX Factors, et al.

Present: The Honorable STEPHEN G. LARSON, United States Magistrate Judge

<u>Jim Holmes</u>	<u>Theresa Lanza</u>	<u>N/A</u>
Deputy Clerk	Court Reporter	Tape No.

Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:
Jose F. Sanchez	Edward P. Swan, Jr.

**Proceedings:** Plaintiff Securities and Exchange Commission's Motion to Compel Deposition of Defendant Richard M. Harkless, filed 6/15/05

The Court has received and reviewed plaintiff SEC's motion to compel the deposition of defendant Richard M. Harkless, filed June 15, 2005, as well as the declaration of Richard M. Harkless filed June 27, 2005. After hearing oral argument and the comments of counsel, the Court GRANTS plaintiff's motion to compel and, finding that the most convenient forum for the deposition is in San Diego, California, ORDERS that defendant Richard M. Harkless submit to his deposition at the Office of the United States Attorney in San Diego, California, or some other mutually agreeable location, at a mutually convenient date and time within 30 days of the date of this order.

Regarding defendant's request for a protective order to insure defendant Harkless' "safe passage" between his residence in Mexico and San Diego, counsel is directed to submit any application to modify the contempt order and any related bench warrant(s) to the District Judge who issued the order and warrant(s).

IT IS SO ORDERED.

DOCKETED ON CM  
 JUL 12 2005  
 BY [Signature] 045

Initials of Preparer

[Signature] : 30 mins  
 jh

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