

The document below is hereby signed.

Signed: February 25, 2014



S. Martin Teel, Jr.

S. Martin Teel, Jr.
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLUMBIA

In re)	
)	
MICHAEL LAWRENCE ROSEBAR,)	Case No. 13-00535
)	(Chapter 7)
Debtor.)	
_____)	
)	
DAVID BROOKS,)	
)	
Plaintiff,)	
)	
v.)	Adversary Proceeding No.
)	13-10036
MICHAEL LAWRENCE ROSEBAR,)	
)	Not for publication in
Defendant.)	West's Bankruptcy Reporter.

MEMORANDUM DECISION AND ORDER DENYING
MOTION FOR RELIEF OF JUDGMENT AND TO SUPPLEMENT THE RECORD

The defendant has filed a *Motion for Relief of Judgment and to Supplement the Record* seeking to vacate the order quashing the notice to take the deposition of Katherine Sutcliffe Becker. The plaintiff, David Brooks, was entitled to file a motion to quash the notice to take deposition, thereby obtaining a protective adjudication that the defendant would not be allowed to depose Becker. He was entitled to assume that a subpoena would follow the notice to take deposition. In any event, until the notice to

take deposition was withdrawn, he was entitled to assume that the notice would be amended if no subpoena had yet been served on Becker in time enough to permit her to be deposed on the stated date. Unlike the miscellaneous proceeding in *In re Amfin Financial Corporation*, 503 B.R. 1 (Bankr. D.D.C. 2014), a matter in which this court was not the home court where the adversary proceeding was pending, the adversary proceeding here is pending in this court, and this court is authorized to issue orders of a protective nature, regardless of whether a subpoena has issued or not. It is thus

ORDERED that the defendant's *Motion for Relief of Judgment and to Supplement the Record* (Dkt. No. 21) is DENIED.

[Signed and dated above.]

Copies to: All counsel of record.