

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT  
IN AND FOR ORANGE COUNTY FLORIDA

ZENAIDA GONZALEZ,

Plaintiff,

Case No. 2008-CA-24573

v.

CASEY ANTHONY,

Defendant.

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**DEFENDANT'S MOTION TO STRIKE NOTICE OF DEPOSITION**

Defendant, Casey Anthony, by the undersigned counsel, hereby moves the Court to enter an Order striking the Notice of Deposition and a related subpoena pursuant to which Plaintiff's counsel purports to set the deposition of Defendant (which the Court previously ordered to occur on October 8, 2011) at their offices.

At the last hearing before this Court, Defendant expressed a concern about the following actions of Plaintiff's counsel:

- (1) Publicly announcing the time and place of Defendant's deposition (creates safety concerns of which the Court is aware). Plaintiff has again publicly announced the purported location of Defendant's deposition; and
- (2) Using the judicial system as a platform for publicity stunts (by serving Defendant, who is a party, with an unnecessary deposition subpoena and then announcing "service" to the press). Plaintiff's counsel repeated this uncalled for spectacle by serving Defendant with another unnecessary subpoena, even after the Court ordered the deposition.

The Court has ordered the parties to schedule a Case Management Conference so that it can, *inter alia*, set protocols for the taking of Defendant's deposition. The time and place of the deposition are matters of concern and should not be publicly disclosed.

Depositions of parties do not require subpoenas, as a mere "Notice" suffices under long-standing Florida law and policy. *See* Fla.R.Civ.P. 1.310(b)(1). Therefore, Plaintiff's service of multiple unnecessary subpoenas on Defendant is seen to be nothing less than transparent harassment of Defendant, not an appropriate and professional litigation requirement.

Plaintiff will also be required to conduct the deposition of Defendant in her County/State of residence (which should also not be disclosed to the public due to bona fide safety issues). Each of the above matters and others will be raised at the Case Management Conference.

WHEREFORE, Defendant, Casey Anthony, for all of the reasons set forth above, respectfully requests the Court enter an Order striking the Notice of Deposition and related subpoena and award Defendant such other relief as is just and appropriate.

Respectfully submitted this 25<sup>th</sup> day of July 2011.

/s/Charles M. Greene  
Charles M. Greene  
Florida Bar No. 938963  
Charles M. Greene, P.A.  
28 East Washington Street  
Orlando, Florida 32801  
Facsimile: (407) 648-0071  
Telephone: (407) 648-1700  
E-mail: cmg@cmgpa.com

*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on July 25, 2011, I electronically filed the foregoing with the Clerk of the Courts by using the ECF system which will send a notice of electronic filing to the following: John B. Morgan, Esquire, Keith R. Mitnik, Esquire, and John W. Dill, Esquire, Morgan & Morgan, P.A., P.O. Box 4979, Orlando, Florida 32802-4979.

/s/Charles M. Greene  
Charles M. Greene