

Defense Counsel contends that Judge Staley meets the requirements of a high ranking government official using case law that refers to federal cabinet level officials, with reference to having knowledge concerning matters in numerous areas that they regulate.

Judge Mary Staley is not considered a high ranking government official as described in Defense Counsel's Response. Even this Court has agreed with this contention in the past, as it relates to Judge Staley's status. In the Title VII case of Rolfe v. Staley, et al (Case No: 1:97-cv-02389-RLV) U.S. District Court Northern District of Georgia (Atlanta Division), Judge Mary E. Staley's Deposition was entered on June 19, 1998.

Plaintiff vehemently disagrees with all of the statements made by Defense Counsel in Paragraph 2 of Pg. 2 of its Response Opposing the Deposition of Judge Staley. The integrity of Howard Chesshire's affidavit is critical; especially considering that the U.S. Magistrate Judge frequently referenced statements contained in the Chesshire Affidavit in his Final Report and Recommendation to the District Judge.

Therefore, the Plaintiff respectfully requests that Plaintiff's Motion to Depose Judge Mary Staley be granted.