

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 and )  
 )  
 DR. RACHEL TUDOR, )  
 )  
 Plaintiff/Intervenor, )  
 )  
 v. )  
 )  
 SOUTHEASTERN OKLAHOMA )  
 STATE UNIVERSITY, )  
 )  
 and )  
 )  
 THE REGIONAL UNIVERSITY )  
 SYSTEM OF OKLAHOMA, )  
 )  
 )  
 Defendants. )

CASE NO. 5:15-CV-00324-C

**NOTICE OF ORDER ISSUED BY THE  
NORTHERN DISTRICT OF TEXAS &  
RELATED MOTION PRACTICE**

Plaintiff-Intervenor Dr. Rachel Tudor hereby notifies this Court and all counsel of the following:

1. On July 11, 2016 Defendants served a subpoena upon non-party witness Ms. Feleshia Porter (Doc. 60) [hereinafter “First Porter Subpoena], seeking testimony and compelling production of documents pertaining to Dr. Tudor’s psychotherapy with Ms. Porter.

2. On July 18, 2016 Dr. Tudor filed a Motion to Quash and Transfer the First Porter Subpoena with the Northern District of Texas (the court of compliance pursuant to F.R.C.P. 45), claiming *inter alia* that the First Porter Subpoena sought information and documents protected by psychotherapist-patient privilege and that Ms. Porter consented to transfer. Dr. Tudor notified this Court of her filings with the Northern District of Texas that same day. (Doc. 71).
3. On July 19, 2016, the Northern District of Texas stayed the First Porter Subpoena and scheduled briefing on transfer for early August 2016. Dr. Tudor notified this Court of the Northern District of Texas' order on July 22, 2016 (Doc. 74).
4. On July 27, 2016 Defendants notified Dr. Tudor's counsel via email that Defendants were withdrawing the First Porter Subpoena (Doc. 64). Defendants' indicated via email that the withdrawal "mooted" Dr. Tudor's motions to quash and transfer before the Northern District of Texas. Exhibit 1 (Email from Lori Cornell on behalf of Defendants' counsel).
5. On July 28, 2016 at approximately 10:54am (eastern time), Dr. Tudor's counsel filed a Notice of Mootness with the Northern District of Texas. Exhibit 2 (ECF Email Notice of Filing); Exhibit 3 (Notice of Mootness and accompanying exhibits).
6. On July 28, 2016 at 11:15am (eastern time), Dr. Tudor's counsel notified Defendants' counsel via email that Dr. Tudor filed a Notice of Mootness

with the Northern District of Texas. Exhibit 4 (Email to Defendants).

7. On July 28, 2016 at approximately 11:17am (eastern time), Judge Ed Kinkeade of the Northern District of Texas entered an electronic order denying Dr. Tudor's Motion to Quash as moot. Exhibit 5 (ECF Email Notice of Electronic Order).
8. On July 28, 2016 at approximately 11:20am (eastern time), Defendants filed an "amended" notice to depose and compel production of documents of Ms. Feleshia Porter (Doc. 77) [hereinafter "Second Porter Subpoena"]. Exhibit 6 (ECF Email Notice of Filing).
9. The Second Porter Subpoena (Doc. 77) seeks the same testimony and same production of documents sought by the First Porter Subpoena (Doc. 60). (Dr. Tudor maintains that the testimony and documents sought are protected by Dr. Tudor's hitherto unwaived psychotherapist-patient privilege). The only difference between the two is that the First Subpoena notices Ms. Porter for deposition on July 26, 2016 in Dallas, Texas (which was stayed by the Northern District of Texas pending briefing from Defendants and Dr. Tudor) and the Second Subpoena notices Ms. Porter for deposition on August 11, 2016 in Durant, Oklahoma.
10. On July 28, 2016 at approximately 12:00pm (eastern time) Dr. Tudor's counsel conferred with Ms. Porter over the telephone. Ms. Porter communicated to Dr. Tudor's counsel that she consented to subpoena-related motions pertaining to the Second Porter Subpoena to be transferred

to the Western District of Oklahoma.

11. On July 28, 2016 at 2:02pm (eastern time) Dr. Tudor's counsel requested an opportunity to meet and confer with Defendants about the Second Porter Subpoena. At the time of filing of this Notice, Defendants have not provided a definite time to complete Dr. Tudor's request for a meet and confer. Exhibit 7 (Email from Ezra Young to Defendants' Counsel).
12. At this time, Dr. Tudor anticipates that if the meet and confer with Defendants fails, that she will move the Eastern District of Oklahoma (the court of compliance pursuant to F.R.C.P. 45 for the Second Porter Subpoena) to stay, quash, and/or transfer the subpoena-related motions of the Second Porter Subpoena to the Western District of Oklahoma.

Dated: July 28, 2016

Respectfully Submitted,

/s/ Ezra Young  
Ezra Young (NY Bar No. 5283114)  
Admitted *Pro Hac Vice*  
Law Office of Jillian T. Weiss, P.C.  
P.O. Box 642  
Tuxedo Park, NY 10987  
949-291-3185  
Fax: 917-398-1849  
[eyoung@jtweisslaw.com](mailto:eyoung@jtweisslaw.com)

/s/ Jillian T. Weiss  
Jillian T. Weiss (NY Bar No. 2125011)  
Admitted *Pro Hac Vice*  
Law Office of Jillian T. Weiss, P.C.

P.O. Box 642  
Tuxedo Park, NY 10987  
845-709-3237  
Fax: 845-915-3283  
[jtweiss@jtweisslaw.com](mailto:jtweiss@jtweisslaw.com)

/s/ Brittany M. Novotny \_\_\_\_\_  
Brittany M. Novotny (Okla. Bar No. 20796)  
National Litigation Law Group, PLLC  
42 Shepherd Center  
2401 NW 23rd St.  
Oklahoma City, OK 73107  
405-429-7626  
Fax: 405-421-9164  
[bnovotny@nationlit.com](mailto:bnovotny@nationlit.com)

**ATTORNEYS FOR PLAINTIFF/INTERVENOR**

**CERTIFICATE OF SERVICE**

I hereby certify that on July 28, 2016, I electronically filed a copy of the foregoing with the Clerk of Court by using the CM/ECF system, which will automatically serve all counsel of record.

/s/ Ezra Young  
Ezra Young (NY Bar No. 5283114)

**From:** Lori Cornell lori.cornell@oag.ok.gov   
**Subject:** Tudor - Depo Subpoena to Dr. Porter  
**Date:** July 27, 2016 at 3:18 PM  
**To:** jweiss@jtweisslaw.com, eyoung@jtweisslaw.com, bnovotny@nationlit.com  
**Cc:** allan.townsend@usdoj.gov, valerie.meyer@usdoj.gov, shayna.bloom@usdoj.gov, Dixie Coffey dixie.coffey@oag.ok.gov, Jeb Joseph jeb.joseph@oag.ok.gov

LC

Dear Counsel:

Please be advised we are withdrawing our deposition subpoena issued to Dr. Porter on June 6, 2016 (via Notice to you) for her deposition on July 26, 2016, which has been stayed by the Texas court pending ruling on the Western District's your Motion to Quash. If you would, please advise Dr. Porter to return the witness fee/mileage check she received with the subpoena. We believe the withdrawal of the issued subpoena to Dr. Porter renders the motion to quash as moot. Should you have any questions, please do not hesitate to contact us.

Thanks,

*Lori Cornell*

Office of the Attorney General

Paralegal

313 N.E. 21st Street

Oklahoma City, Oklahoma 73105

Telephone: 405.521.3921

Direct: 405.522.2906

Facsimile: 405.521.4518



**CONFIDENTIALITY NOTICE:** This email message and all attachments transmitted with it may contain information that is legally privileged, confidential, and/or attorney work product intended solely for the use of the intended recipient, or the employee or agent responsible to deliver it to the intended recipient. You are hereby notified that any reading, dissemination, disclosure, distribution, copying or other use of this information without the permission of the Oklahoma Office of the Attorney General is strictly prohibited. If you have received this message in error, please notify the sender immediately by telephone at 405.522.2906 or lori.cornell@oag.ok.gov, and destroy this message.

**P** Save a tree. Don't print this e-mail unless it's really necessary.

**From:** ecf\_txnd@txnd.uscourts.gov  
**Subject:** Activity in Case 3:16-mc-00067-K In re: Subpoena of Feleshia Porter Notice (Other)  
**Date:** July 28, 2016 at 10:54 AM  
**To:** Courtmail@txnd.uscourts.gov

E

**This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.**

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

If you need to know whether you must send the presiding judge a paper copy of a document that you have docketed in this case, click here: [Judges' Copy Requirements](#). Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. [Forms and Instructions](#) found at [www.txnd.uscourts.gov](http://www.txnd.uscourts.gov). If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge.

**U.S. District Court  
Northern District of Texas**

**Notice of Electronic Filing**

The following transaction was entered by Garza, Anthony on 7/28/2016 at 9:53 AM CDT and filed on 7/28/2016

**Case Name:** In re: Subpoena of Feleshia Porter  
**Case Number:** [3:16-mc-00067-K](#)  
**Filer:** Rachel Jona Tudor  
**Document Number:** [6](#)

**Docket Text:**

**NOTICE of Mootness re: [2] MOTION to Quash Subpoena to Feleshia Porter or, in the alternative, to Transfer to the Western District of Oklahoma filed by Rachel Jona Tudor (Attachments: # (1) Exhibit(s) 1, # (2) Proposed Order) (Garza, Anthony)**

**3:16-mc-00067-K Notice has been electronically mailed to:**

Anthony Matthew Garza agarza@ccrglaw.com, aivy@ccrglaw.com, gcassada@ccrglaw.com, mzweber@ccrglaw.com

Ezra Ishmael Young eyoung@jtweisslaw.com

John A Nechman jnechman@lawkn.com

**3:16-mc-00067-K The CM/ECF system has NOT delivered notice electronically to the names listed below. The clerk's office will serve notice of court Orders and Judgments by mail as required by the federal rules. An attorney/pro se litigant is cautioned to carefully follow the federal rules (see FedRCivP 5) with regard to service of any document the attorney/pro se litigant has filed with the court. The clerk's office will not serve paper documents on behalf of an attorney/pro se litigant.**

Meredith L Burrell  
US Attorney's Office  
Civil Rights Div/Emp Lit Section  
PO Box 65968  
Washington, DC 20035-5968

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1004035775 [Date=7/28/2016] [FileNumber=9391114-0] [eb058aa85b021f0b36ef73baf40d45595a56cd4c47a74d8be6c34f28e7caebc7b02f5b952b797207dbc1f9f8249aa24dc2acb6ff1714573b495cad37b49aac2a]]

**Document description:**Exhibit(s) 1

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1004035775 [Date=7/28/2016] [FileNumber=9391114-1] [555f5edf58b93620ee21d320db2457b5fa52de90ae1681461803bf6377ca340dc3fa7b1cdc123aa004ef021e2205190f9a1c02b45bd7a133482c7b4510d4ba06]]

**Document description:**Proposed Order

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1004035775 [Date=7/28/2016] [FileNumber=9391114-2  
] [c5aafec02bc22a3a3035a3556972fe4e3bb8660b745921a1ba2c80668e89e795a1f  
28b7f784be454f09b30ff67e842301088dd8e86cb8715aebe5d18f385701c]]

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

IN RE SUBPOENA OF  
FELESHIA PORTER

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

Case No.: 3:16-mc-00067-K

**DR. RACHEL TUDOR’S NOTICE OF MOOTNESS**

Dr. Rachel Tudor respectfully notifies the Court of her belief that her Motion to Quash and Transfer is now moot. On Wednesday July 27, 2016 Southeastern Oklahoma State University and the Regional University System of Oklahoma (“Defendants” in the underlying matter) notified Dr. Tudor’s counsel that Defendants were withdrawing the Porter Subpoena. (Exhibit 1.) Defendants’ withdrawal of the Porter Subpoena renders Dr. Tudor’s Motion to Quash and Transfer moot.

Dr. Tudor reserves the right to move to quash and transfer subpoena related motions if Defendants attempt to serve another subpoena or seek to compel production of documents by Ms. Feleshia Porter.

Respectfully submitted,

Dated: July 28, 2016

/s/ Ezra Young  
Ezra Young (NY Bar No. 5283114)  
Application for *Pro Hac Vice* Pending  
Law Office of Jillian T. Weiss, P.C.  
P.O. Box 642  
Tuxedo Park, NY 10987  
949-291-3185  
Fax: 917-398-1849  
[eyoung@jtweisslaw.com](mailto:eyoung@jtweisslaw.com)

/s/ Anthony M. Garza  
Anthony M. Garza (Tex. Bar No. 24050644)  
Charhon Callahan Robson & Garza  
3333 Lee Parkway, Suite 460  
Dallas, TX 75219  
(469) 587-7242  
Fax: (214) 764-8392  
[agarza@ccrglaw.com](mailto:agarza@ccrglaw.com)

**ATTORNEYS FOR DR. RACHEL TUDOR**

**CERTIFICATE OF SERVICE**

I hereby certify that on July 28, 2016, I served a copy of the foregoing on all counsel of record in the underlying action and Ms. Feleshia Porter via email.

Kindanne C. Jones  
Dixie L. Coffey  
Jeb Joseph  
Assistant Attorneys General  
Oklahoma Attorney General's Office  
Litigation Section  
313 N. E. 21<sup>st</sup> Street  
Oklahoma City, Oklahoma 73105  
[Kindanne.Jones@oag.ok.gov](mailto:Kindanne.Jones@oag.ok.gov)  
[Dixie.Coffey@oag.ok.gov](mailto:Dixie.Coffey@oag.ok.gov)  
[Jeb.Joseph@oag.ok.gov](mailto:Jeb.Joseph@oag.ok.gov)  
*Attorneys for Defendant State of Oklahoma  
Ex rel. Regional University System of  
Oklahoma & Southeastern Oklahoma State  
University*

Allan Townsend  
Delora Kennebrew  
Meredith Burrell  
Shayna Bloom  
Valerie Meyer  
U.S. Dep't of Justice, Civil Rights Division-DC  
950 Pennsylvania Avenue NW  
Room 49258 PHB  
Washington, DC 20530  
[Allan.Townsend@usdoj.gov](mailto:Allan.Townsend@usdoj.gov)  
[Delora.Kennebrew@usdoj.gov](mailto:Delora.Kennebrew@usdoj.gov)  
[Meredith.Burrell@usdoj.gov](mailto:Meredith.Burrell@usdoj.gov)  
[Shayna.Bloom@usdoj.gov](mailto:Shayna.Bloom@usdoj.gov)  
[Valerie.Meyer@usdoj.gov](mailto:Valerie.Meyer@usdoj.gov)  
*Attorneys for the United States of America*

Jennifer L. Arendes  
U.S. Equal Employment Opportunity Commission  
St. Louis District Office  
1222 Spruce St., Rm. 8.100  
St. Louis, MO 63103  
[Jennifer.Arendes@eoc.gov](mailto:Jennifer.Arendes@eoc.gov)  
*Attorney for the U.S. EEOC*

Ms. Feleshia Porter, MS, LPC  
3530 Forest Lane, #55  
Dallas, Texas 75234  
[feleshia@aol.com](mailto:feleshia@aol.com)  
*Pro Se*

/s/ Ezra Young  
\_\_\_\_\_  
Ezra Young (NY Bar No. 5283114)

# Exhibit 1

**From:** Lori Cornell <[lori.cornell@oag.ok.gov](mailto:lori.cornell@oag.ok.gov)>  
**Subject:** Tudor - Depo Subpoena to Dr. Porter  
**Date:** July 27, 2016 at 3:17:13 PM EDT  
**To:** "[jweiss@jtweisslaw.com](mailto:jweiss@jtweisslaw.com)" <[jweiss@jtweisslaw.com](mailto:jweiss@jtweisslaw.com)>, "[eyoung@jtweisslaw.com](mailto:eyoung@jtweisslaw.com)" <[eyoung@jtweisslaw.com](mailto:eyoung@jtweisslaw.com)>, "[bnovotny@nationlit.com](mailto:bnovotny@nationlit.com)" <[bnovotny@nationlit.com](mailto:bnovotny@nationlit.com)>  
**Cc:** "[allan.townsend@usdoj.gov](mailto:allan.townsend@usdoj.gov)" <[allan.townsend@usdoj.gov](mailto:allan.townsend@usdoj.gov)>, "[valerie.meyer@usdoj.gov](mailto:valerie.meyer@usdoj.gov)" <[valerie.meyer@usdoj.gov](mailto:valerie.meyer@usdoj.gov)>, "[shayna.bloom@usdoj.gov](mailto:shayna.bloom@usdoj.gov)" <[shayna.bloom@usdoj.gov](mailto:shayna.bloom@usdoj.gov)>, Dixie Coffey <[dixie.coffey@oag.ok.gov](mailto:dixie.coffey@oag.ok.gov)>, Jeb Joseph <[jeb.joseph@oag.ok.gov](mailto:jeb.joseph@oag.ok.gov)>



Dear Counsel:

Please be advised we are withdrawing our deposition subpoena issued to Dr. Porter on June 6, 2016 (via Notice to you) for her deposition on July 26, 2016, which has been stayed by the Texas court pending ruling on the Western District's your Motion to Quash. If you would, please advise Dr. Porter to return the witness fee/mileage check she received with the subpoena. We believe the withdrawal of the issued subpoena to Dr. Porter renders the motion to quash as moot. Should you have any questions, please do not hesitate to contact us.

Thanks,

*Lori Cornell*

Office of the Attorney General  
Paralegal  
313 N.E. 21st Street  
Oklahoma City, Oklahoma 73105  
Telephone: 405.521.3921  
Direct: 405.522.2906  
Facsimile: 405.521.4518



**CONFIDENTIALITY NOTICE:** This email message and all attachments transmitted with it may contain information that is legally privileged, confidential, and/or attorney work product intended solely for the use of the intended recipient, or the employee or agent responsible to deliver it to the intended recipient. You are hereby notified that any reading, dissemination, disclosure, distribution, copying or other use of this information without the permission of the Oklahoma Office of the Attorney General is strictly prohibited. If you have received this message in error, please notify the sender immediately by telephone at 405.522.2906 or [lori.cornell@oag.ok.gov](mailto:lori.cornell@oag.ok.gov), and destroy this message.

 Save a tree. Don't print this e-mail unless it's really necessary.

---

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

IN RE SUBPOENA OF  
FELESHIA PORTER

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

Case No.: 3:16-mc-00067-K

**ORDER**

Before this Court is Dr. Rachel Tudor's Notice of Mootness, dated July 28, 2016. Counsel for Southeastern Oklahoma State University and the Regional University System of Oklahoma ("Defendants" in the underlying case) have notified Dr. Tudor's counsel via email that they have withdrawn the subpoena and related production requests issued to Ms. Feleshia Porter. Defendants' withdrawal of the Porter Subpoena renders Dr. Tudor's Motion to Quash and Transfer moot (Doc. 2). IT IS HEREBY ORDERED:

- A. The subpoena issued to Ms. Porter on July 11, 2016 is withdrawn;
- B. The Court **DENIES** the motion to Quash and Transfer as moot;
- C. If Defendants in the underlying matter seek to reissue a subpoena to Ms. Porter, they will first seek leave of the Court;
- D. This matter shall be closed upon the docket of the Court.

Signed July \_\_\_\_, 2016.

---

ED KINKEADE  
UNITED STATES DISTRICT JUDGE

**From:** Angela Ivy aivy@ccrglaw.com 

**Subject:** In Re Subpoena of Feleshia Porter

**Date:** July 28, 2016 at 11:15 AM

**To:** eyoung@jtweisslaw.com

**Cc:** kindanne.jones@oag.ok.gov, dixie.coffey@oag.ok.gov, jeb.joseph@oag.ok.gov, Allan.Townsend@usdoj.gov, delora.kennebrew@usdoj.gov, meredith.burrell@usdoj.gov, Shayna.Bloom@usdoj.gov, Valerie.Meyer@usdoj.gov, jennifer.arendes@eoc.gov, BNovotny@nationlit.com, jweiss@jtweisslaw.com, Anthony Garza agarza@ccrglaw.com

AI

Please see attached.

Angela K. Ivy  
Paralegal  
Charhon Callahan Robson & Garza, PLLC  
3333 Lee Parkway, Ste. 460  
Dallas, Texas 75219  
(214) 521-6400 (Main)  
(469) 587-7251 (Direct)  
(214) 764-8392 (Facsimile)



2016 07 28 [6] Dr.  
Tudor's Not...otness.pdf



2016 07 28 [6-1] Ex. 1  
(email withd...poena).pdf

**From:** ecf\_txnd@txnd.uscourts.gov  
**Subject:** Activity in Case 3:16-mc-00067-K In re: Subpoena of Feleshia Porter Order on Motion to Quash  
**Date:** July 28, 2016 at 11:17 AM  
**To:** Courtmail@txnd.uscourts.gov



**This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.**

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

If you need to know whether you must send the presiding judge a paper copy of a document that you have docketed in this case, click here: [Judges' Copy Requirements](#). Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. [Forms and Instructions](#) found at [www.txnd.uscourts.gov](http://www.txnd.uscourts.gov). If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge.

**U.S. District Court  
Northern District of Texas**

**Notice of Electronic Filing**

The following transaction was entered on 7/28/2016 at 10:15 AM CDT and filed on 7/28/2016

**Case Name:** In re: Subpoena of Feleshia Porter

**Case Number:** [3:16-mc-00067-K](#)

**Filer:**

**Document Number:** 7(No document attached)

**Docket Text:**

**ELECTRONIC ORDER - Before the Court is Movant's Notice of Mootness, filed on July 28, 2016. The Motion to Quash [2] is hereby DENIED as moot. (Ordered by Judge Ed Kinkeade on 7/28/2016) (chmb)**

**3:16-mc-00067-K Notice has been electronically mailed to:**

John A Nechman jnechman@lawkn.com

Anthony Matthew Garza agarza@ccrglaw.com, aivy@ccrglaw.com, gcassada@ccrglaw.com, mzweber@ccrglaw.com

Ezra Ishmael Young eyoung@jtweisslaw.com

**3:16-mc-00067-K The CM/ECF system has NOT delivered notice electronically to the names listed below. The clerk's office will serve notice of court Orders and Judgments by mail as required by the federal rules. An attorney/pro se litigant is cautioned to carefully follow the federal rules (see FedRCivP 5) with regard to service of any document the attorney/pro se litigant has filed with the court. The clerk's office will not serve paper documents on behalf of an attorney/pro se litigant.**

Meredith L Burrell  
US Attorney's Office  
Civil Rights Div/Emp Lit Section  
PO Box 65968  
Washington, DC 20035-5968

**From:** okwd\_ecf\_notice@okwd.uscourts.gov  
**Subject:** Activity in Case 5:15-cv-00324-C United States of America v. Southeastern Oklahoma State University et al Notice to Take Deposition  
**Date:** July 28, 2016 at 11:20 AM  
**To:** okwdecf@okwd.uscourts.gov

**This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.**

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

**U.S. District Court  
Western District of Oklahoma[LIVE]**

**Notice of Electronic Filing**

The following transaction was entered by Joseph, Jeb on 7/28/2016 at 10:19 AM CDT and filed on 7/28/2016

**Case Name:** United States of America v. Southeastern Oklahoma State University et al

**Case Number:** [5:15-cv-00324-C](#)

**Filer:** Regional University System of Oklahoma  
Southeastern Oklahoma State University

**Document Number:** [77](#)

**Docket Text:**

**[NOTICE to Take Deposition of \(Amended\) Dr. Felicia Porter by Regional University System of Oklahoma, Southeastern Oklahoma State University. \(Joseph, Jeb\)](#)**

**5:15-cv-00324-C Notice has been electronically mailed to:**

Allan K Townsend Allan.Townsend@usdoj.gov, Adriene.Colbert@usdoj.gov, Meredith.Burrell@usdoj.gov

Brittany M Novotny brittany.novotny@gmail.com

Delora L Kennebrew delora.kennebrew@usdoj.gov

Dixie L Coffey dixie.coffey@oag.ok.gov, docket@oag.ok.gov, leesa.thompson@oag.ok.gov, lori.cornell@oag.ok.gov, maranda.whitaker@omes.ok.gov, rebecca.ford@oag.ok.gov, robert.stewart@omes.ok.gov

Ezra I Young eyoung@jtweisslaw.com

Jeb E Joseph jeb.joseph@oag.ok.gov, docket@oag.ok.gov, jebjosephlaw@gmail.com, leesa.thompson@oag.ok.gov, lori.cornell@oag.ok.gov, maranda.whitaker@omes.ok.gov, Robert.Stewart@omes.ok.gov, shirley.brady@oag.ok.gov

Jennifer L Arendes jennifer.arendes@eeoc.gov

Jillian T Weiss jweiss@jtweisslaw.com

Kindanne C Jones kindanne.jones@oag.ok.gov, docket@oag.ok.gov, leesa.thompson@oag.ok.gov, maranda.whitaker@omes.ok.gov, robert.stewart@omes.ok.gov

Meredith L Burrell meredith.burrell@usdoj.gov

Mithun S Mansinghani Mithun.Mansinghani@oag.ok.gov, cara.gorden@oag.ok.gov, fc.docket@oag.ok.gov

Shayna M Bloom shayna.bloom@usdoj.gov

Valerie L Meyer valerie.meyer@usdoj.gov

**5:15-cv-00324-C Notice has been delivered by other means to:**

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

ISTAMP dcecfStamp ID=1041971380 IDate=7/28/2016 IFileNumber=3319270-0

[REDACTED]  
[4fe3e40ad1df2432871f8a43bd66d317b7733367e868fc0804245c899241f1838f1  
cb991b1403a77366de83e1d359796517da40788407bb34aba96799e4c38ec]]



**From:** Ezra Young [eyoung@jtweisslaw.com](mailto:eyoung@jtweisslaw.com)  
**Subject:** Re: Tudor - Depo Subpoena to Dr. Porter  
**Date:** July 28, 2016 at 5:19 PM  
**To:** Dixie Coffey [dixie.coffey@oag.ok.gov](mailto:dixie.coffey@oag.ok.gov)  
**Cc:** Jeb Joseph [jeb.joseph@oag.ok.gov](mailto:jeb.joseph@oag.ok.gov), [jweiss@jtweisslaw.com](mailto:jweiss@jtweisslaw.com), [bnovotny@nationlit.com](mailto:bnovotny@nationlit.com), [allan.townsend@usdoj.gov](mailto:allan.townsend@usdoj.gov), [valerie.meyer@usdoj.gov](mailto:valerie.meyer@usdoj.gov), [shayna.bloom@usdoj.gov](mailto:shayna.bloom@usdoj.gov), Lori Cornell [lori.cornell@oag.ok.gov](mailto:lori.cornell@oag.ok.gov)

Dixie,

Thank you for responding. I can make myself available tomorrow morning. You can call me directly on my cell phone: 949-291-3185.

Ezra Young, Esq.  
Law Office of Jillian T. Weiss, P.C.  
P.O. Box 642  
Tuxedo Park, NY 10987  
Tel: [\(949\) 291-3185](tel:9492913185)  
Fax: [\(917\) 398-1849](tel:9173981849)  
Email: [eyoung@jtweisslaw.com](mailto:eyoung@jtweisslaw.com)  
Web: [jtweisslaw.com](http://jtweisslaw.com)

NOTICE: This email and attachments are confidential, intended solely for listed recipients. No permission is given to forward this email or attachments without written consent. I use email for your convenience, but note that email is inherently insecure, with significant risk of third-party interception. If you prefer not to take the risk, please let me know in writing, and I will use fax or mail for all communications. Email, including personal email accessed via the web, created or viewed through employer-provided systems, including smartphones, can be viewed by the employer. See [ABA Opinion No. 11-459](#).

Ezra Young is admitted to practice law in New York only, and any statements in reference to laws or legal requirements outside of those states are not intended as legal advice unless and until representation by this firm is accepted by a court or government agency operating in your state. Consult an attorney admitted to practice in your state for qualified legal advice. Statements herein are not intended as legal advice or to create an attorney-client relationship unless and until you and this firm have signed a written retainer agreement.

On Jul 28, 2016, at 5:16 PM, Dixie Coffey <[dixie.coffey@oag.ok.gov](mailto:dixie.coffey@oag.ok.gov)> wrote:

Ezra,

We may be available late morning tomorrow, depending on the length of a hearing. We'll call you when we're free. If you're not available, we can find another time to talk.

Thanks,

Dixie L. Coffey  
Assistant Attorney General  
Litigation Division, Office of the Attorney General  
Phone:(405)522-2891; Fax (405) 521-4518

This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

---

**From:** Ezra Young [<mailto:eyoung@jtweisslaw.com>]  
**Sent:** Thursday, July 28, 2016 1:03 PM  
**To:** Jeb Joseph; Dixie Coffey  
**Cc:** [jweiss@jtweisslaw.com](mailto:jweiss@jtweisslaw.com); [bnovotny@nationlit.com](mailto:bnovotny@nationlit.com); [allan.townsend@usdoj.gov](mailto:allan.townsend@usdoj.gov); [valerie.meyer@usdoj.gov](mailto:valerie.meyer@usdoj.gov); [shayna.bloom@usdoj.gov](mailto:shayna.bloom@usdoj.gov); Lori Cornell  
**Subject:** Re: Tudor - Depo Subpoena to Dr. Porter  
**Importance:** High

Jeb and Dixie.

**As to the first Porter Subpoena:** Ms. Porter was informed of your request outline in the email from Lori Connel below. Ms. Porter advised me that she will return those checks via mail to the

return address list on the envelope the first subpoena arrived in to the attention of Dixie Coffey.

**As to the second Porter Subpoena:** Pursuant to Eastern District of Oklahoma Local Rule 7.1(f) I am requesting an opportunity to meet and confer over the phone sometime today (July 28th—I'm free most of the day save for 4.30pm to 5pm eastern) or tomorrow morning (July 29th). Plaintiff/Intervenor believes that the new subpoena for Ms. Porter is inappropriate because it seeks information and documents protected by hereto unwaived psychotherapist-patient privilege We are also concerned about the apparent forum shopping here since you mooted out the issue before the ND Texas and—within minutes of an order being issued there—renoticed the same person seeking the same information and documents in a new city giving you a new court of compliance. We are also concerned that Ms. Porter has not yet been served (suggesting non-compliance with local rules on timing of service). We are further concerned that the date Defendants have designated in the second Porter Subpoena conflicts with Plaintiff/intervenor's already noticed 30(b)(6) deposition which is taking place in Oklahoma City. If we are unable to settle this issue through the meet and confer process, we will be forced to quash and transfer with the ED of Oklahoma as well as to seek fees and other appropriate relief.

Best,

Ezra Young, Esq.  
Law Office of Jillian T. Weiss, P.C.  
P.O. Box 642  
Tuxedo Park, NY 10987  
Tel: [\(949\) 291-3185](tel:9492913185)  
Fax: [\(917\) 398-1849](tel:9173981849)  
Email: [eyoung@jtweisslaw.com](mailto:eyoung@jtweisslaw.com)  
Web: [jtweisslaw.com](http://jtweisslaw.com)

NOTICE: This email and attachments are confidential, intended solely for listed recipients. No permission is given to forward this email or attachments without written consent. I use email for your convenience, but note that email is inherently insecure, with significant risk of third-party interception. If you prefer not to take the risk, please let me know in writing, and I will use fax or mail for all communications. Email, including personal email accessed via the web, created or viewed through employer-provided systems, including smartphones, can be viewed by the employer. See [ABA Opinion No. 11-459](#).

Ezra Young is admitted to practice law in New York only, and any statements in reference to laws or legal requirements outside of those states are not intended as legal advice unless and until representation by this firm is accepted by a court or government agency operating in your state. Consult an attorney admitted to practice in your state for qualified legal advice. Statements herein are not intended as legal advice or to create an attorney-client relationship unless and until you and this firm have signed a written retainer agreement.

On Jul 27, 2016, at 3:17 PM, Lori Cornell <[lori.cornell@oag.ok.gov](mailto:lori.cornell@oag.ok.gov)> wrote:

<image001.jpg>

Dear Counsel:

Please be advised we are withdrawing our deposition subpoena issued to Dr. Porter on June 6, 2016 (via Notice to you) for her deposition on July 26, 2016, which has been stayed by the Texas

court pending ruling on the Western District's your Motion to Quash. If you would, please advise Dr. Porter to return the witness fee/mileage check she received with the subpoena. We believe the withdrawal of the issued subpoena to Dr. Porter renders the motion to quash as moot. Should you have any questions, please do not hesitate to contact us.

Thanks,

*Lori Cornell*

Office of the Attorney General  
Paralegal  
313 N.E. 21st Street  
Oklahoma City, Oklahoma 73105  
Telephone: 405.521.3921  
Direct: 405.522.2906  
Facsimile: 405.521.4518  
<image002.png>

**CONFIDENTIALITY NOTICE:** This email message and all attachments transmitted with it may contain information that is legally privileged, confidential, and/or attorney work product intended solely for the use of the intended recipient, or the employee or agent responsible to deliver it to the intended recipient. You are hereby notified that any reading, dissemination, disclosure, distribution, copying or other use of this information without the permission of the Oklahoma Office of the Attorney General is strictly prohibited. If you have received this message in error, please notify the sender immediately by telephone at 405.522.2906 or [lori.cornell@oag.ok.gov](mailto:lori.cornell@oag.ok.gov), and destroy this message.

**P** Save a tree. Don't print this e-mail unless it's really necessary.

---