

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases.

Judith E. Levy
United States District Judge

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This Order Relates To:

16-10444 All Cases
17-10164 Bellwether I

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**ORDER GRANTING MOTION FOR PROTECTIVE ORDER
RELATED TO EDWARD KURTZ [16-10444, 2122] [17-10164, 703]**

On February 28, 2022, Edward Kurtz, through counsel, brought a motion for protective order in the Flint Water Cases in docket number 16-10444. (No. 16-10444, ECF No. 2122.) On March 1, 2022, his counsel filed the same motion on the docket in case number 17-10164 (ECF No. 703), which is the docket used for the first bellwether cases. (*See* No. 16-10444, ECF No. 1739.)

Mr. Kurtz was served with a subpoena to appear at trial in the first bellwether trial, and he seeks to be excused due to a medical condition.

As set forth on the record on March 1, 2022, during the trial, the issuing party VNA does not object to this motion. Further, LAN indicated

that they do not oppose the relief sought. Mr. Kurtz's motion is granted and he will be deemed "unavailable" under Federal Rule of Evidence 804(a)(4) for purposes of this case. (*See* Case No. 17-10164.)

IT IS SO ORDERED.

Dated: March 1, 2022
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on March 1, 2022.

s/William Barkholz
WILLIAM BARKHOLZ
Case Manager