

SAMPLE CIVIL FORM 43

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY

A.B., Plaintiff )

v. )

C.D., Defendant )

CIVIL ACTION NO. \_\_\_\_\_

**MOTION TO STAY TAKING OF DEPOSITION**

Defendant moves the court to stay the taking of the deposition of \_\_\_\_\_ by plaintiff pursuant to the notice served on defendant by plaintiff on *(date)* \_\_\_\_\_, until \_\_\_\_\_, on the ground that examination of the witness has already been commenced and is now proceeding in an action pending in the \_\_\_\_\_ Court of the State of \_\_\_\_\_, entitled \_\_\_\_\_ v. \_\_\_\_\_, which action involves the same issues as are involved in this action, as more particularly appears from the affidavit of \_\_\_\_\_ attached hereto and which defendant is informed and believes will come on for trial before the trial of this action, and the judgment in which will be dispositive of the issues in this action.

\_\_\_\_\_  
Attorney for Defendant

Office and P.O. Address

\_\_\_\_\_  
\_\_\_\_\_