

51034 Depositions

(a)

On verified petition of any party, the hearing officer may order that the testimony of any material witness residing within or without the State be taken by deposition in the manner prescribed by law for depositions in civil actions. The petition shall set forth: (1) The nature of the pending proceeding. (2) The name and address of the witness whose testimony is desired. (3) A showing of the materiality of his testimony. (4) A showing that the witness will be unable or cannot be compelled to attend. (5) A request for an order requiring the witness to appear and testify before an officer named in the petition for that purpose.

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A request for an order requiring the witness to appear and testify before an officer named in the petition for that purpose.

(b)

The hearing officer's order for taking of testimony by deposition from a witness residing out-of-State shall be supported by a court order. The court order shall be obtained by filing a petition in the Superior Court of Sacramento County, in accordance with Section 11189, Government Code.