

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

**RICKY WEAVER, as Personal
Representative of the Estate of
MICAH WEAVER, Deceased**

PLAINTIFF

v.

Case No. 1:11-cv-00025 KGB

**TOYOTA MOTOR CORPORATION,
TOYOTA MOTOR SALES, U.S.A., INC.,
and TK HOLDINGS, INC.**

DEFENDANTS

ORDER

On December 5, 2013, this Court ordered plaintiff's expert witness Robert M. Hooker to be present for deposition in Little Rock, AR on December 11 or 12, 2013, or provide the Court before 10:00 a.m. Central Time on December 9, 2013, good reason as to why Mr. Hooker is unavailable on those dates (Dkt. No. 85). Plaintiff responded by saying that Mr. Hooker is unavailable on those dates due to his involvement in a trial in California, but that he is available on December 18 or 20, 2013 (Dkt. No. 86). Defendants replied noting that Mr. Hooker did not say he was unavailable on December 12, 2013, but on December 10 and 11, 2013, and that defense counsel is unavailable to take Mr. Hooker's deposition on December 18 and 20, 2013 (Dkt. No. 87). Defendants move that Mr. Hooker be struck as a testifying expert. Plaintiff's counsel communicated to the Court that Mr. Hooker will also be in trial in California on December 12, 2013.

The Court will conduct a telephone conference on this matter on Wednesday, December 11, 2013, beginning at 1:30 p.m. The call-in information is as follows:

Toll-free: 1-877-810-9415

Access Code: 8401566

SO ORDERED this 10th day of December, 2013.

Kristine G. Baker

Kristine G. Baker
United States District Judge