

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

**ARNELL NIGHTINGALE**

**PLAINTIFF**

**VS.**

**NO. 3:09CV00166**

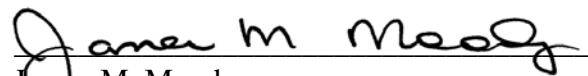
**SAFECO INSURANCE COMPANY OF AMERICA**

**DEFENDANT**

**ORDER**

Pending is Defendant's motion to dismiss, or in the alternative, for sanctions. (Docket # 30). A telephone hearing was held on this date. For the reasons stated on the record, Defendant's motion is DENIED. As the Court has previously held, Plaintiff will be precluded from introducing at trial any medical bills or records not produced before the discovery cut-off. Further, Plaintiff is required to produce any and all medical and pharmacy bills to which she will testify at least one month in advance of the trial.

IT IS SO ORDERED this 15<sup>th</sup> day of December, 2010.



James M. Moody

United States District Judge