

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

VIRGINIA MCKEE NOEL

PLAINTIFF

v.

No. 3:10CV00107 JLH

LIBERTY BANK OF ARKANSAS

DEFENDANT

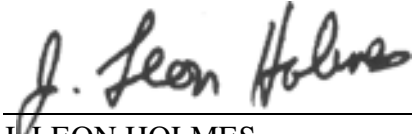
ORDER

Virginia McKee Noel has filed a motion to show cause as to why Stephens Inc. should not be held in contempt of court for failure to comply with the Court's discovery order announced from the bench during a lengthy hearing on March 16, 2012. The present dispute relates to one item as to which the Court previously denied Stephens Inc.'s motion for protective order. That item was item No. 3 of a June 6, 2011, subpoena. Item No. 3 requested a copy of the March 2009 account statement for a particular account. The Court ordered that it be produced on the grounds that it related to the family trust and went into the living trust. Stephens Inc. declined to produce that account statement, however, saying that the account is a personal account of Sanders McKee.

If the Court was incorrect in its characterization of the account at issue, the time to make that known was at the hearing. The Court will not reconsider these issues at this point. The Court conducted a lengthy hearing and gave everyone ample opportunity to be heard on every issue. The order stands as it was delivered at the conclusion of the hearing. Stephens Inc. will therefore provide the information requested in item No. 3 of the subpoena dated June 6, 2011, and will do so within three days from the entry of this order. Failure to comply may result in sanctions.

The motion for contempt is DENIED. Document #62. The motion for leave to file a reply brief is DENIED. Document #72.

IT IS SO ORDERED this 16th day of May, 2012.

A handwritten signature in cursive script that reads "J. Leon Holmes". The signature is written in black ink and is positioned above a horizontal line.

J. LEON HOLMES
UNITED STATES DISTRICT JUDGE