

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

**DEMETRIUS HARDY**

**PLAINTIFF**

**VS.**

**3:10CV00204JMM**

**OLUSEYI T. OSINOWO; ARMSTRONG  
TRANSFER AND STORAGE, INC./  
ARMSTRONG RELOCATION COMPANY,  
AND UNITED VAN LINES, LLC**

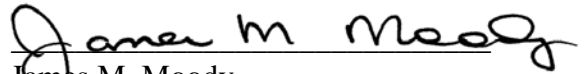
**DEFENDANT**

**ORDER**

Pending is Plaintiff's motion to compel discovery arising from Defendant Osinowo's failure to appear for his deposition. (Docket # 32). Defendants have filed a response.

Defendants do not dispute the facts supporting Plaintiff's motion. However, Defendants request that Defendant Osinowo be afforded another opportunity in which to appear for his deposition without the imposition of sanctions. The Court finds that Plaintiff's motion to compel should be and hereby is GRANTED. Defendant Osinowo is directed to appear for his deposition at the date and time set by the parties. Plaintiff's request for the imposition of sanctions and costs<sup>1</sup> is denied at this time.

IT IS SO ORDERED this 7<sup>th</sup> day of March, 2011.

  
James M. Moody  
United States District Judge

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<sup>1</sup>Because the depositions of Armstrong were completed on the same date Defendant Osinowo failed to appear, the Court finds an award of expenses unjust.