

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

**TED CHANDLER, et al.**

**PLAINTIFFS**

**VS.**

**3:12-CV-00104-BRW**

**JACOBS ENGINEERING GROUP, INC., et al.**

**DEFENDANTS**

**ORDER**

Pending is Plaintiffs' Motion to Compel against Defendant APAC-Tennessee (Doc. No. 34). Defendant APAC-Tennessee has responded,<sup>1</sup> and Plaintiffs have replied.<sup>2</sup> For reasons explained below, Plaintiffs' Motion to Compel (Doc. No. 34) is GRANTED in part and DENIED in part.

On November 14, 2012, I conducted a telephone conference with counsel for the parties to discuss their discovery disputes.<sup>3</sup> Based on counsels' representations, the following was ordered:

1. With respect to Interrogatory No. 7, APAC-Tennessee must identify highway construction contracts it entered with the State of Arkansas during the past 5 years.
2. As to Interrogatory No. 9, APAC-Tennessee must list all reprimands, sanctions or penalties that the State of Arkansas issued to APAC-Tennessee as a result of its performance of Job #110492.

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<sup>1</sup>Doc. No. 36.

<sup>2</sup>Doc. No. 37.

<sup>3</sup>Doc. No. 42.

3. As to Interrogatory No. 19, APAC-Tennessee must determine if any contractor was hired as a traffic safety consultant -- if so, APAC-Tennessee must have identified the traffic safety consultant by noon on November 15, 2012.

4. As to Request for Production No. 3, APAC-Tennessee must produce a copy of any correspondence with Jacobs Engineering regarding the traffic control devices Plaintiffs confronted prior to the accident and any correspondence that would relate to the liability of either Defendant in this case.

5. As to Request for Production No. 6, once Plaintiffs have had an opportunity to review the reports regarding accidents that occurred during the course of Job #110492, they must then specifically identify what additional information is sought regarding the accidents that occurred during the course of Job #110492.

6. With respect to Request or Production No. 9, APAC-Tennessee must produce all "change orders" for the project -- however, if APAC-Tennessee believes the burden of complying with this Order is grounds for me to reconsider my ruling, it may, before producing the change orders, advise me by letter of its position.

IT IS SO ORDERED this 21<sup>st</sup> day of November, 2012.

/s/Billy Roy Wilson  
UNITED STATES DISTRICT JUDGE