

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

IN THE MATTER OF COOPER
MARINE & TIMBERLANDS
CORPORATION, No. 3:15CV00170 JLH (LEAD)
as Owner *Pro Hac Vice* and Operator;
and GATX THIRD AIRCRAFT, LLC,
as Owner of the BARGE CMT 123,
Official No. 1067600

ROBERT L. COLEMAN, Special Administrator
for the Estate of Nicolas Perez Hernandez, and
his Surviving Heirs and Dependents PLAINTIFF

v. NO. 3:15CV00225 JLH

COOPER MARINE & TIMBERLANDS
CORPORATION, *et al.* DEFENDANTS

KASSANDRA NIEVES, Individually and as
Personal Representative of the Estate of Juan Nieves
and his Surviving Heirs and Dependents PLAINTIFF

v. NO. 3:15CV00350 JLH

COOPER MARINE & TIMBERLANDS
CORPORATION, *et al.* DEFENDANTS

ORDER

These cases are scheduled for trial beginning on April 3, 2017, and April 24, 2017. Third party defendants Dawson Employment Service, Inc., and Temps Plus, Inc., have moved for a continuance because they have only recently been added as parties to the case and have not had an opportunity to conduct discovery, file motions, or undertake other actions needed before trial. The plaintiffs object to the motion for continuance, contending that the defendants were dilatory in adding the third party defendants as parties and that the third party defendants are not likely to have any liability.

Whether or not the third party defendants are likely to have any liability, it is true that they have only recently become parties to these actions, and they are entitled to have time to prepare a defense commensurate with the time given to other parties. The motions for continuance are therefore GRANTED. Document #96, No. 3:15CV00225. Document #83, No. 3:15CV00350. Case No. 3:15CV00225 is removed from the trial docket for the week of April 3, 2017. Case No. 3:15CV00350 is removed from the trial docket for the week of April 24, 2017. The scheduling orders in those cases are hereby set aside. New scheduling orders will be entered separately.

IT IS SO ORDERED this 21st day of October, 2016.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE