

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

**TRI-STATE ARMATURE
& ELECTRICAL WORKS, INC.**

PLAINTIFF

v.

No. 3:16-cv-134-DPM

**TIMOTHY B. HOUSTON; ELECTRO DESIGN
ENGINEERING, INC.; and CELETA STRIPLING**

DEFENDANTS

ORDER

The Court can handle this dispute on the papers.

1. The proposed joint letter is a good start, and the Court confirms its bench ruling that the letter should come from all counsel. It needs two tweaks and some additional information, though, to be fair to EDE, Stripling, and Houston, who objected to these subpoenas. The changes reflect how we got here. And the Court remains convinced that a joint letter is the best way to reduce static involving these third parties.

Please revise the current last sentence of the first paragraph as indicated, and then add the new sentences at the end of that paragraph. All the changes are shown with strike outs and italics. The final version sent should be a clean copy, of course.

The undersigned Counsel represent the parties identified below, and pursuant to an Order of the Court, they are ~~jointly submitting~~ *sending to your company* the enclosed subpoena ~~from Tri-State to your Company~~ for the production of the documents and information requested. *Tri-State wanted to get this information from you; Electro Design Engineering, Inc., Houston, and Stripling objected. The Court overruled that objection. The Court ordered the lawyers for all parties to work together on this letter and the attached requests for production of documents – to protect confidential information, and to minimize interference in the ongoing business relationship between your company and the parties in this lawsuit.*

2. The Court could have, and should have, been clearer from the bench about the subpoenas. They're from Tri-State, not all the parties. So please revise the first sentence of the introductory paragraph in the requests for production as follows.

The foregoing subpoena and this request for production of documents is ~~jointly issued and served by attorneys for all parties in this case per Order of Judge D.P. Marshall.~~ *, pursuant to the Order of Judge D.P. Marshall Jr., issued and served by the lawyers for Tri-State, in collaboration with the lawyers for Electro-Design Engineering, Inc., Timothy Houston, and Celeta Stripling.*

* * *

Discovery dispute, No 49 & 52, addressed.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

18 May 2017