

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

RELENTS BLAKELY

PLAINTIFF

v.

4:08CV04120-WRW

**SCHLUMBERGER TECHNOLOGY
CORPORATION, *et al.***

DEFENDANTS

ORDER

Pending is Defendant Schlumberger Technology Corporation's Motion to Compel Discovery Responses (Doc. No. 21). Plaintiff has responded.¹ Defendant's Motion is GRANTED in part and DENIED in part.

Defendant's Motion is GRANTED with respect to Defendant's First Set of Interrogatories and First Set of Requests for Production of Documents, Plaintiff is directed to answer those requests by 5:00 p.m. on Thursday, October 22, 2009.

Defendant contends that on June 23, 2009, it noticed Plaintiff of her deposition on September 18, 2009, at 9:00 a.m. in Houston, Texas.² Defendant attached to the motion the Notice with certificate of service -- via U.S. mail, postage prepaid. Defense attorney Rachel Linzy traveled to Houston for the deposition, but neither Plaintiff nor Plaintiff's counsel appeared.³ Plaintiff maintains that neither she nor her attorney ever received the Notice, and that, had they received the Notice, they would have appeared.⁴

¹Doc. No. 22.

²Doc. No. 21.

³*Id.*

⁴Doc. No. 22.

Plaintiff is directed to make herself available for deposition. If the parties cannot agree on a time and place for the deposition, they should notify me and I will set a time and place. Defendant's request for the costs associated with travel, preparing for the deposition, and preparing its Motion is DENIED without prejudice. Defendant attached only the Notice to the Motion -- Defendant did not attach any proof of mailing, return receipt, affidavit by the person who sent the Notice in the mail, affidavit about regular mailing procedures, *etc.*

Defendant's request for sanctions -- in connection with both discovery and the deposition -- is also DENIED without prejudice.

IT IS SO ORDERED this 15th day of October, 2009.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE