

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

DAVID SMITH, *et al.*

PLAINTIFFS

v.

No. 4:09CV00679 JLH

FRAC TECH SERVICES, LTD.

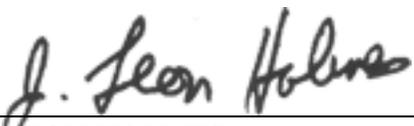
DEFENDANT

**ORDER**

The plaintiffs' motion for clarification is granted in part. The Court agrees reasonable attorneys' fees incurred in connection with the taking of the deposition of Dan Quick would include reasonable attorneys' fees in preparing for that deposition. The Court does not, however, believe that it will take forty to eighty hours to prepare for that deposition as one piece of correspondence attached to the motion appears to suggest. A reasonable amount of time to prepare for the deposition, in the Court's view, would be four to eight hours. The Court will not at this time establish a timeframe within which direct examination, cross-examination, redirect, etc., must be accomplished. The Court assumes that experienced and competent counsel such as those present in this case can conduct themselves reasonably and conclude the deposition within a reasonable time. If one side or the other concludes during the course of the deposition that it is not being conducted in a reasonable manner and in a manner that is fair to both sides, the attorneys may call chambers. Although the Court is conducting a bench trial at this time, if requested the Court will come off the bench and attend to the matters pertaining to the deposition of Mr. Quick.

The motion for clarification is therefore granted in part and denied in part. Document #235.

IT IS SO ORDERED this 29th day of September, 2010.

  
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J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE