

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF ARKANSAS  
RICHARD SHEPPARD ARNOLD UNITED STATES COURTHOUSE  
600 W. CAPITOL, ROOM A403  
LITTLE ROCK, ARKANSAS 72201  
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June 21, 2011

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Re: *B&B Hardware Inc. v. Fastenal Company*, No. 4:10CV00317-BRW

Dear Counsel:

Mr. Rather has talked to my law clerk regarding some depositions that are set for next week.

Even assuming that I appoint a special master (which at this point is my full intention), I would be surprised if he'd be in place in time to deal with the depositions (or, even if he were in place, he would not have time to get his sea legs).

Accordingly, I will probably have a telephone conference at about 1:15 this Thursday, June 23, 2011.

I am in the middle of a jury trial and will probably not be able to attend to this matter before then. It is unlikely that I'll cancel the depositions.

If the parties can resolve the issue before the telephone conference, that'll be fine; if not, I'll resolve them.

Cordially,

/s/ B.R. Wilson

Original to the Clerk of the Court