

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

HARVEY BEECH

PLAINTIFF

v.

Case No. 4:10-cv-547-DPM

WELLS FARGO BANK, N.A. AS
TRUSTEE FOR THE HOLDERS
OF THE FIRST FRANKLIN MORTGAGE
LOAN TRUST 2006-FF15
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES
2006-FF15

DEFENDANT/COUNTERPLAINTIFF

v.

HARVEY BEECH

COUNTERDEFENDANT

ORDER

Wells Fargo's motion for sanctions or, alternatively, to compel and for expenses, *Document No. 58*, is granted in part. Beech must pay the reasonable expenses, including attorney's fees, caused by his failure to appear at the 19 May 2011 deposition. FED. R. CIV. P. 37(d)(3). Wells Fargo has until 24 June 2011 to certify the fees and expenses incurred. The Court will evaluate the submission for reasonableness.

The discovery deadline is extended until 15 June 2011. And the dispositive motion deadline is extended until 30 June 2011. All other deadlines remain unchanged.

The Court directs Beech to appear for a deposition by Wells Fargo on 13 June 2011 at 9:00 a.m. Wells Fargo shall promptly issue notice with all the other particulars. Beech must appear at this deposition and bring all documents subpoenaed. If he does not do so, the Court will order him to show cause why he should not be held in contempt and subject to further sanctions. The Court directs Wells Fargo to produce a representative with knowledge for deposition by Beech on 14 June 2011 at 9:00 a.m. Beech shall promptly issue notice with all the other particulars. The depositions must be completed on these dates unless the parties can find other mutually agreeable dates before the discovery cutoff.

So Ordered.



D.P. Marshall Jr.
United States District Judge



27 May 2011