

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

DELORES COMSTOCK As Special  
Administrator of the Estate of  
WILLIAM GUMBY,

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Plaintiff,

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vs.

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No. 4:11CV000340 SWW

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UPS GROUND FREIGHT INC. and  
ALLEN HOWARD,

\*  
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Defendants.

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**Order**

Pursuant to the rulings made during a hearing held on August 20, 2012, the Court finds as follows:

Defendants’ motion to compel discovery [docket entry 96] is granted. The parties have agreed to new discovery deadlines. Defendants’ motion to compel production and inspection [docket entry 98] is granted. Plaintiff is directed to make the vehicle available for inspection at a date, time, place, and duration agreeable to the parties. If the parties cannot agree, the Court will set the inspection parameters. Defendants agree to pay the reasonable costs of the inspection, which do not include plaintiff’s attorney’s fees. The parties further agree that the entire truck will be available for presentation during trial for the defendant’s presentation of evidence as well as plaintiff’s.

Defendant’s motion to quash notice of deposition and request for protective order [docket entry 99] is granted. Plaintiff is directed to prepare a new notice of deposition. Defendants’ motion to exclude expert testimony [docket entry 101] is denied. Defendants’ motion to amend and for status

conference [docket entry 102] is granted. Plaintiff's motion for protective order [docket entry 105] is denied as moot; and defendants' motion for leave to file reply briefs [docket entry 112] is granted.

An Amended Final Scheduling Order with deadlines agreed to by the parties will be entered by the Court. The Court will set status conferences on a regular basis to foster a smooth discovery process.

DATED this 20<sup>th</sup> day of August, 2012.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE