

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

NICOLE COLLINS, ET AL.,
 individually and on behalf of others
 similarly situated

Plaintiffs

V.

BARNEY'S BARN, INC., individually
 and d/b/a PEACHES GENTLEMAN'S
 CLUB, ET AL.

Defendants

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NO: 4:12CV00685 SWW

ORDER

By order entered December 11, 2013, the Court gave Defendants five days from the entry date of the order in which to file a response to Plaintiffs' motion for sanctions, making the response due on or before December 16, 2013.¹ On December 16, 2013, defense counsel notified the Court via email, with a copy to opposing counsel, that he intended to file a response to Plaintiffs' motion by December 18, 2013. Given the severity of the sanction sought by Plaintiffs, Defendants will receive two additional days, up to and including December 18, 2013, in which to file a response, and Plaintiffs will have up to and including December 27, 2013 in which to file a reply.

With their motion for sanctions, Plaintiffs ask the Court to enter judgment in their favor

¹Rule 6(a)(1) of the Federal Rules of Civil Procedure provides the default procedure by which deadlines are computed, when the time period for taking action is stated in days or a longer unit of time and the rule or court order does not specify a method of computing time. Under former Rule 6(a), a period of 11 days or more was computed differently than a period of fewer than 11 days—intermediate Saturdays, Sundays, and legal holidays were included in computing the longer period, but excluded in computing the shorter periods. *See* Fed. R. Civ. P. 6, Advisory Committee Notes 2009 Amendments.

on the issue of liability as a sanction for Defendants' noncompliance. Plaintiffs also ask the Court to allow the bench trial scheduled to begin January 6, 2014 to proceed on the issue of damages. However, the Court finds that the trial setting should be continued to allow sufficient time for a decision on Plaintiffs' motion for sanctions.

Finally, the Court instructs all parties that all requests for relief must be made by written motion, filed with the Clerk. The Court will not respond to letters or emails. If parties wish to be heard on a matter before the Court, they must do so in the form of motion, response or other appropriate filing.

IT IS THEREFORE ordered that Defendants have up to and including December 18, 2013 in which to file a response to Plaintiffs' motion for sanctions, and Plaintiffs have up to and including December 27, 2013 in which to file a reply.

IT IS FURTHER ORDERED that the bench trial scheduled for January 6, 2014 is continued.

IT IS SO ORDERED THIS 17TH DAY OF DECEMBER, 2013.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE