

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

EVELYN GARRISON, ELBIE CANNON, *
AIDET ELIAS, TRACY EMERY, RUBEN *
GARCIA, DAVID B. GEORGE, *
CHRISTOPHER JOHNSON, KYLE *
MOSS, TONIA ORNDORFF, LANE A. *
SCOTT AND CHRIS A. WILLIAMS, *
Each Individually And On Behalf Of All *
Others Similarly Situated, *

Plaintiffs, *

vs. * No. 4:12-cv-00737-SWW

CONAGRA FOODS PACKAGED *
FOODS, LLC d/b/a CONAGRA FOODS, *

Defendant. *

ORDER

On June 30, 2014, defendant ConAgra Foods Packaged Foods, LLC d/b/a ConAgra Foods (ConAgra) filed a motion for summary judgment [doc.#69]. As part of its motion, ConAgra also moves for sanctions against separate-plaintiff Ruben Garcia, arguing that he should be dismissed from this action as a sanction for his failure to attend his own deposition. The remaining plaintiffs do not dispute that Garcia should be dismissed from this action. Accordingly, the Court grants ConAgra’s motion for sanctions [doc.#69] and hereby dismisses plaintiff Ruben Garcia from this action. ConAgra’s motion for summary judgment [doc.#69], a hearing on which is scheduled for 10:00 a.m. on Friday, November 7, 2014, remains pending.

IT IS SO ORDERED this 9th day of October 2014.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE