

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION

DAVID WILLIAMS,  
ADC #78730

PLAINTIFF

v.

5:05CV00048JMM/HLJ

LARRY NORRIS, et al.

DEFENDANTS

ORDER

This matter is before the Court on a discovery dispute between the parties. By Order dated November 10, 2009, this Court granted defendants' motion to quash the deposition of defendant Tim Moncrief scheduled for November 11, 2009 (DE #304). The Court further directed the parties to confer concerning the re-scheduling of the deposition, and to notify the Court of their progress within five days of the date of the Order.

The parties have now corresponded with the Court, by letters, indicating a failure to agree upon a time, place, or method of taking the deposition of defendant Tim Moncrief. In light of such,

IT IS HEREBY ORDERED that the deposition of defendant Tim Moncrief be taken by telephone, at the Varner Unit, in plaintiff's presence, within the next forty-five days. Counsel for the parties shall agree on the documents to be submitted to the defendant prior to the deposition, and such documents shall be forwarded to the defendant by his counsel.

IT IS SO ORDERED this 19<sup>th</sup> day of November, 2009.

*Henry L. Jones, Jr.*

United States Magistrate Judge