

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

JIM DINTELMAN, et. al.

PLAINTIFFS

VS.

CASE NO. 5:07CV00196

CHICOT COUNTY MEMORIAL HOSPITAL, et. al.

DEFENDANTS

ORDER

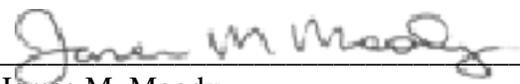
Pending is Defendant, Chicot Memorial Hospital's motion for sanctions. (Docket # 73). Plaintiffs failed to respond. For good cause shown, the motion for sanctions is GRANTED.

On or about October 28, 2009, Defendant, Chicot Memorial Hospital filed and served Notices of Depositions scheduling the depositions of David Donovan and Jim Dintelman on December 16 and 17, 2009. On December 14, 2009, Plaintiffs' counsel notified Defendant's counsel of a conflict, however, no motion to quash was filed with the Court. Thereafter, Plaintiffs and their counsel failed to appear at the depositions.

Due to Plaintiffs failure to appear at the depositions after receiving proper notice, Defendants will be awarded the costs of the court reporter present to transcribe the depositions on December 16, 2009 along with one hundred dollars (\$100.00) in attorneys fees.

Further, the Court will remove the case from the trial docket the week of April 26, 2010. An amended scheduling order will be entered resetting this case for trial and providing a new discovery deadline. Plaintiffs are cautioned that the failure to participate in discovery could result in further sanctions including dismissal of their complaint.

IT IS SO ORDERED this 21st day of January, 2010.



James M. Moody
United States District Judge