

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

JOHN EDWARD MILLER

PLAINTIFF

V.

Case No. 2:11-CV-02129

KEVIN R. DUGAN; JERROD WAYNE SCOTT;
and CITY OF BARLING

DEFENDANTS

ORDER

Currently before the Court is Plaintiff's Motion to Compel Attendance at Depositions (Doc. 13) and Defendants' Response (Doc. 14). Plaintiff seeks an order compelling the Defendants to present for depositions on May 29, 2012.

It appearing to the Court that the parties did not finally and mutually agree to hold Defendants' depositions on May 29, or any other specific date, the Court finds that Plaintiff's Motion (Doc. 13) should be and hereby is DENIED. The Court declines to compel either party to attend a deposition on any specific date at this time.

Also pending before the Court is Defendants' recently-filed Motion to Compel. (Doc. 15). Given the proximity of the discovery deadline,¹ and in the interest of resolving the issues presented in a timely manner, Plaintiff is DIRECTED to file any Response to Defendants' Motion on or before May 31, 2012.

IT IS SO ORDERED this 24th day of May, 2012 .

¹ A Final Scheduling Order (Doc. 9) has been entered in this case, setting a discovery deadline of July 7, 2012. The parties are reminded that, pursuant to that Order, the Court generally will not grant a continuance because a party does not have time in which to depose a witness.

P. K. Holmes, III

P.K. HOLMES, III
CHIEF U.S. DISTRICT JUDGE