

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

CHARLES A. WILLSEY, Individually and
as the Special Administrator of the
Estate of CYNTHIA K. WILLSEY, Deceased

PLAINTIFF

V. CIVIL NO. 12-2320

SHELTER MUTUAL INSURANCE COMPANY

DEFENDANT

O R D E R

On this 26th day of August 2013, there comes on for consideration the report and recommendation filed in this case on July 17, 2013 (doc. 40) by the Honorable James R. Marschewski, United States Magistrate for the Western District of Arkansas. Also before the Court are the parties' objections (docs. 42, 50 & 54).

The court has reviewed this case *de novo* and, being well and sufficiently advised, finds as follows: The report and recommendation (doc. 40) is proper and should be and hereby is adopted in its entirety. Accordingly, Defendant's Motion for Sanctions Barring Testimony of Sutterfield, Bean, Slaight and Lonon (doc. 30) is GRANTED as to Slaight and Lonon and DENIED as to Sutterfield and Bean.

The Court notes both parties raised various other issues in their objections indicating difficulty in mutually completing the discovery process in a timely manner. The Court advises the

parties that Court intervention in discovery disputes is rare and undesirable and strongly suggests the parties work towards a mutual agreement without further guidance from the Court.

IT IS SO ORDERED.

/s/ Robert T. Dawson
Honorable Robert T. Dawson
United States District Judge