

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

JIMMY L. BROWN

PLAINTIFF

v.

Civil No. 4:13-cv-04032

GREGORY HARPER

DEFENDANT

ORDER

Before the Court is Defendant's Motion to Compel and Motion for Costs. ECF No. 32. Defendant filed this Motion on December 18, 2014. *Id.* On January 8, 2015, Plaintiff responded to Defendant's Motion. ECF No. 36. Thereafter, on February 5, 2015, the Court held a hearing on Defendant's Motion. ECF No. 45. Defendant's Motion has been referred to the undersigned, and it is now ripe for consideration.

Upon review, the Court finds this Motion (ECF No. 32) should be **GRANTED** as follows:

1. Plaintiff is ordered to submit to a deposition, and the Parties are directed to find a mutually-agreeable time for that deposition;
2. Any confidential information related to Plaintiff will be covered by a protective order, which will be supplied by Defendant and entered at a later date;
3. Defendant's request for costs and attorney's fees is denied;
4. Plaintiff is warned that any failure to submit to discovery (including failure to submit to a deposition, failure to respond to written discovery, etc.) may result sanctions, which could include a recommendation that his case be dismissed;
5. Plaintiff is directed to respond to Defendant's Motion for Summary Judgment by **February 20, 2015**. Plaintiff's failure to timely respond may result in sanctions, which could include a recommendation that his case be dismissed.

ENTERED this **6th** day of **February 2015**.

/s/ Barry A. Bryant
HON. BARRY A. BRYANT
U.S. MAGISTRATE JUDGE