

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

CAMERON MUTUAL
INSURANCE COMPANY

PLAINTIFF

v.

Civil No. 4:15-cv-04081

STEVE JOHNSON, *et al*

DEFENDANTS

ORDER

BEFORE the Court is Defendants' Motion to Quash Deposition Notices and Motion for Protective Order. ECF No. 20. With this Motion, Plaintiff seeks an Order quashing the deposition notices of the Defendants and a Protective Order precluding any additional depositions. *Id.* The Defendants have responded to this Motion. ECF No. 24. Pursuant to the provisions of 28 U.S.C. § 636(b)(1) and (3) (2005), United States District Judge Susan O. Hickey referred this Motion to the undersigned for decision. The Court having reviewed the pleadings finds Defendants' Motion to Quash Deposition Notices and Motion for Protective Order (ECF No. 20), should be **DENIED**.

1. BACKGROUND

This lawsuit is a Complaint for Declaratory Judgment brought pursuant to Ark. Code Ann. §§ 16-11-101, et seq, and 28 USC § 1332, in which Plaintiff seeks a declaration from this Court of its contractual obligations regarding insurance contracts between Plaintiff and Defendant, Steven Johnson. According to Plaintiff, this lawsuit will resolve a dispute as to whether Plaintiff must provide a defense or indemnity to Steven Johnson in a suit brought by separate Defendants Vanessa Griffin, Marcus Griffin, Brooklynn Howard, Alsandria Reid, Alphonso Reid, Angela Ondrisek, Nichols Broderick, Matthew Broderick, Marissa Broderick, Shaina Broderick, Nathan Griffin by and through his next friend Tonia Griffin, and Alexis Broderick by and through her next

friend Sheldon Griffin (“Underlying Plaintiffs”).

The Underlying Plaintiffs allege they were the subject of intentional physical and mental abuse, and various forms of involuntary servitude in *Griffin, et al. v. Alamo, et al.*, United States District Court for the Western District of Arkansas, Texarkana Division, 4:14-CV-04065. (“Underlying Matter”). On August 31, 2016, Plaintiff noticed the depositions of each of the Underlying Plaintiffs, who as stated, are also defendants in this matter. The Underlying Plaintiffs subsequently filed this Motion to Quash and for Protection.

2. DISCUSSION

Counsel for the Underlying Plaintiffs argue Plaintiff has been provided with copies of each parties deposition taken in the underlying matter, and Plaintiff has provided no reason to re-depose each party for this matter. ECF No. 20. Additionally, they argue these depositions will be costly and inconvenient. These arguments lack merit.

To begin with, each of these Underlying Plaintiffs are parties in this matter and subject to discovery. Further, as pointed out by Plaintiff, although they have been provided copies of depositions from the Underlying Matter, the testimony in those depositions does not address the specific issues Plaintiff would like to discuss for this lawsuit. Plaintiff seeks testimony pertaining to the factual allegations in the Underlying Matter in conjunction with Plaintiff’s policy dates, and seeks specific information from the Underlying Plaintiffs related to the premises described on the policy Declarations Pages. Finally, counsel for Plaintiff has stated they will work with counsel for Underlying Plaintiffs, within reason, to aid in scheduling in order to minimize travel. ECF No. 24.

Accordingly, Defendants’ Motion to Quash Deposition Notices and Motion for Protective

Order (ECF No.20) is **DENIED**.

IT IS SO ORDERED this **day of September 2016**.

/s/ Barry A. Bryant
HON. BARRY A. BRYANT
UNITED STATES MAGISTRATE JUDGE