

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

PAMELA E. SMITH individually,

Plaintiff,

-vs-

Case No. 2:09-cv-512-FtM-29SPC

ARROW FINANCIAL SERVICES, LLC a foreign
limited liability company; THE LAW OFFICES OF
ERSKINE & FLEISHER a Florida partnership,

Defendants.

ORDER TO SHOW CAUSE

This matter comes before the Court on Motion By Defendant the Law Offices of Erskine & Fleisher for Sanctions for Plaintiff's Failure to Comply with Court Order Regarding Production of Handwritten Notes (Doc. #44) filed on September 10, 2010.

On August 17, 2010, this Court entered an Order directing Plaintiff to produce any previously unproduced handwritten documents or notes in her possession, custody, or control, or provide a sworn or verified statement that no such notes exist, no later than August 31, 2010 (Doc. #43). Defendant now moves for sanctions and an order to show cause, asserting that Plaintiff has failed to comply with this Court's Order and has yet to produce the handwritten notes or certified that none exist. Therefore, the Court will issue an order to show cause directing Plaintiff to respond to Doc. #44 and show cause why sanctions should not be entered against her for failure to comply with this Court's August 17, 2010 Order. Failure to do so could result in the Court barring Plaintiff from using the handwritten notes in support of her case.

Accordingly, it is now

ORDERED:

Plaintiff is directed to file a response to Doc. #44 by **September 17, 2010 at 5:00 p.m.**

DONE AND ORDERED at Fort Myers, Florida, this 14th day of September, 2010.


SHERI POLSTER CHAPPELL
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record