

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

ETHEL CARGILL,

Plaintiff,

v.

CASE NO: 8:10-cv-807-T-26TGW

HARTFORD INSURANCE COMPANY  
OF THE MIDWEST,

Defendant.

---

**ORDER**

Upon due consideration, it is ordered and adjudged as follows:

- 1) Defendant's Motion to Quash (Dkt. 19) is denied without prejudice subject to the following conditions.
- 2) The return of the subpoena, which the Court notes is *Thanksgiving Day*, is delayed until further order of the Court.<sup>1</sup>
- 3) Counsel for the parties shall confer *personally* within seven (7) days of this order in a good faith effort to resolve the issues raised in the motion.
- 4) In the event counsel cannot resolve this matter, Defendant may refile the motion, following which the Court will direct an expedited response and schedule an expedited hearing.

---

<sup>1</sup> This delay will not prejudice Plaintiff inasmuch as the discovery deadline does not end until July 29, 2011, pursuant to this Court's Case Management and Scheduling Order entered June 16, 2010, at docket 16.

5) Defendant's counsel, notwithstanding his contention that the motion was timely filed, is cautioned regarding filing motions to quash the day before a subpoena is returnable.

**DONE AND ORDERED** at Tampa, Florida, on November 24, 2010.

*s/Richard A. Lazzara*  
\_\_\_\_\_  
**RICHARD A. LAZZARA**  
**UNITED STATES DISTRICT JUDGE**

**COPIES FURNISHED TO:**  
Counsel of Record