

UNITED STATE DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA

ALLSTATE INSURANCE COMPANY;
ALLSTATE INDEMNITY COMPANY;
ALLSTATE PROPERTY AND CASUALTY
INSURANCE COMPANY; ALLSTATE FIRE
AND CASUALTY INSURANCE COMPANY;
And ALLSTATE VEHICLE AND PROPERTY
INSURANCE COMPANY, SUCCESSOR BY
MERGER TO NORTHBROOK INDEMNITY
COMPANY),

Case No.: 8:11-cv-00804-EAE-EAJ

Plaintiffs,

vs.

SARA C. VIZCAY, M.D., et al,

Defendants.

**AGREED ORDER ON CONTEMPT PROCEEDINGS REGARDING NON-
PARTY WITNESS EUSEVIO AQUINA**

This matter having come before the Court on August 22, 2012 on the Plaintiffs' Motion for Contempt for non-appearance at a duly scheduled deposition Order compel by non-party witness, Eusevio Aquina (Dkt. 130), the Court having reviewed the Motion and the previously entered Certificate of Facts Constituting Contempt (Dkt. 144) and having heard the argument of counsel for Eusevio Aquina and Plaintiffs, and responses by Eusevio Aquina who personally appeared before the Court, it is

ORDERED AND ADJUDGED AS FOLLOWS:

1. Eusevio Aquina shall appear at his deposition scheduled for September 24, 2012 at 9am.

2. Eusevio Aquina shall compensate Plaintiffs for costs incurred in the amount of \$755.00 (seven hundred fifty-five dollars) due to his failure to appear at his deposition scheduled for February 29, 2012, specifically:

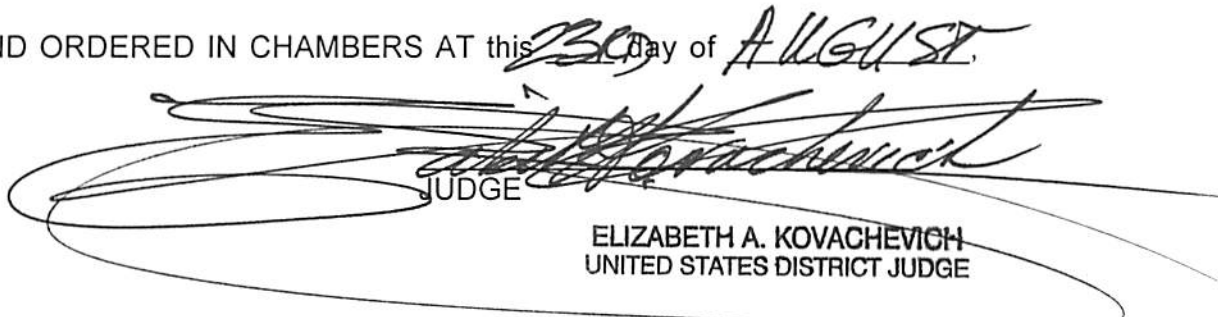
Court Reporter: \$80.00
Videographer: \$225.00
Translator: \$400.00
Process Server: \$50.00

3. Additionally, Eusevio Aquina shall compensate Plaintiffs for the attorney's fees incurred as the result of having to bring the motion for contempt before the Court and having to appear before the Court in relation to this matter on July 17, 2012 and August 22, 2012. The total fees to be compensated are: \$912.50 (nine hundred twelve and 50/100 dollars).

4. Eusevio Aquina shall forward to counsel for Plaintiffs the payment of the costs and fees referenced in paragraphs 2 and 3 above, by December 21, 2012.

5. The Court hereby dismisses the contempt of court charge against Eusevio Aquina, subject to his compliance with this Order. Should he fail to comply with this Order, the Court may issue further sanctions against him, including incarceration and fines.

DONE AND ORDERED IN CHAMBERS AT this 23rd Day of AUGUST, 2012.


JUDGE
ELIZABETH A. KOVACHEVICH
UNITED STATES DISTRICT JUDGE