

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. 08-60052-CIV-DIMITROULEAS/ROSENBAUM

DAVID I. SHIMAN and  
DONNA G. SHIMAN,

Plaintiffs,

v.

NISSAN MOTOR CO., LTD., a foreign corporation;  
and NISSAN NORTH AMERICA, INC., a foreign  
corporation,

Defendants.

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**ORDER**

This matter comes before the Court upon Defendants' Motion for Contempt and to Compel the Deposition of Randall Powell, M.D., and to Allow the Deposition to Occur After the Discovery Date [D.E. 25]. Upon review of Defendants' Motion and noting the imminent discovery cut-off of January 2, 2009, the Court finds good cause to expedite the briefing and hearing in this matter.

It is therefore **ORDERED AND ADJUDGED** as follows:

1. Randall Powell, M.D., shall file a written response to Defendants' Motion by no later than **5:00 p.m., Tuesday, January 6, 2009.**

2. Plaintiffs shall file a written response to Defendants' Motion indicating whether they oppose it, and, if they do, stating why with applicable legal support, by no later than **5:00 p.m., Tuesday, January 6, 2009.**


3. Should Defendants so choose, they may file a reply by no later than **5:00 p.m.,**

**Wednesday, January 7, 2009.**

4. A hearing shall be held on Defendants' Motion on **Thursday, January 8, 2009, at 9:30 a.m.**

5. Counsel for Defendants shall ensure that Randall Powell, M.D., and his counsel receive a copy of this Order immediately upon Defendants' attorneys' receipt of it.

**DONE AND ORDERED** this 31<sup>st</sup> day of December, 2008.

  
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ROBIN S. ROSENBAUM  
UNITED STATES MAGISTRATE JUDGE

cc: Hon. William P. Dimitrouleas  
Counsel of Record