

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

XPO LOGISTICS FREIGHT, INC.)
f/k/a CON-WAY FREIGHT INC.,)
a Delaware corporation,) Case No. 16-mc-220-JWL-TJJ
)
 Movant,) Relating to an action pending in
) the United States District Court for the
 v.) Eastern District of Pennsylvania
) Case No. 5:16-cv-2247-JFL
 YRC, INC.,)
)
 Respondent.)

ORDER

XPO Logistics Freight, Inc. (“XPO”) has filed a second motion (ECF No. 16) to compel a non-party YRC, Inc. employee to produce subpoenaed documents pursuant to Fed. R. Civ. P. 45(d). The subpoena duces tecum was issued out of a civil case filed in the Eastern District of Pennsylvania (the “Pennsylvania case”)¹ and requires compliance in the state of Michigan.²

IT IS THEREFORE ORDERED that XPO's second motion to compel (ECF No. 16) is denied without prejudice.

¹ *XPO Logistics Freight, Inc. v. Dekker*, Case No. 5:16-cv-2247-JFL (E.D. Penn.).

² See Bergman Subpoena, ECF No. 16-2.

IT IS SO ORDERED.

Dated January 20, 2017 in Kansas City, Kansas.



Teresa J. James
Teresa J. James
U. S. Magistrate Judge