

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

ROXANNE SEVIN

CIVIL ACTION

VERSUS

NO. 10-1864

BP AMERICA, INC. ET AL.

MAGISTRATE JUDGE  
JOSEPH C. WILKINSON, JR.**ORDER ON MOTION**

APPEARANCES: None (on the briefs)

MOTION: Defendants' Motion for Sanctions and to Strike Witnesses, Record  
Doc. No. 37**ORDERED:**

XXX : DENIED. Under the circumstances involving the disqualification of plaintiff's former counsel on defendants' motion and the recent enrollment of new counsel for plaintiff, including the prompt remedial efforts and actions of plaintiff's new counsel to resolve these issues, as reflected in the opposition memorandum, Record Doc. No. 45, I decline to exercise the court's discretion established by use of the word "may" in Rules 37(b)(2)(A) and 37(c)(1). The requested sanctions will not be imposed.

New Orleans, Louisiana, this 11th day of January, 2012.JOSEPH C. WILKINSON, JR.  
UNITED STATES MAGISTRATE JUDGE