

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

SHANA SANDLER,)
)
 Plaintiff)
)
 v.) Civil No. 07-29-B-H
)
 MIA CALCAGNI, et al.,)
)
 Defendants)

REPORT OF TELEPHONE CONFERENCE
AND ORDER

I held a telephone conference at Bangor, Maine, on Friday, November 02, 2007, commencing at 8:30 a.m. and concluding at 8:45 a.m. and concluding at 2:30 p.m., with the following counsel participating:

Bernard J. Kubetz, Esq. for Plaintiff

Bruce C. Mallonee, Esq. for Defendant Mia Calcagni

J. William Druary, Esq. for Defendant Mars

Mathew Segal, Esq. for Defendant Booksurge, LLC

Plaintiff's counsel requested this conference and reported that he has been advised by Defendant Calcagni's counsel that she will not appear for her deposition that is scheduled for Tuesday, November 6, 2007. After discussion, I entered the following order: Defendant Mia Calcagni is ordered to appear for her deposition on Tuesday, November 6, 2007, as previously noticed. If she fails to appear the plaintiff is given leave to file a motion for default on issues of liability. Any such motion shall be

accompanied by appropriate affidavit indicating why she is entitled to relief from Mia Calcagni.

Also, Defendant Booksurge is granted leave to file a motion for its costs associated with the third day of depositions.

The default, if entered, against Mia Calcagni will be against her only, and not against any other defendant, either directly or derivatively.

CERTIFICATE

This report fairly reflects the actions taken at the hearing and shall be filed forthwith. Any objections to this report shall be filed in accordance with Fed.R.Civ. P. 72.

So Ordered.

November 2, 2007

/s/ Margaret J. Kravchuk
U.S. Magistrate Judge