

UNITED STATES DISTRICT COURT  
 EASTERN DISTRICT OF MICHIGAN  
 SOUTHERN DIVISION

XPO LOGISTICS FREIGHT, INC.,

Petitioner,

Case No. 17-50187

Honorable Victoria A. Roberts

v.

YRC, INC.,

Underlying Case

*XPO Logistics Freight, Inc. v. Dekker*

Respondent.

Case No. 16-cv-2247-JFL (E.D. Pa.)

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**ORDER GRANTING PETITION TO COMPEL YRC, INC. TO  
 PRODUCE DOCUMENTS REQUESTED IN THE DEPOSITION  
 SUBPOENA OF ITS EMPLOYEE SCOTT BERGMAN [Doc. 1]**

XPO Logistics Freight, Inc. (“XPO”) initiated this miscellaneous case by filing a petition to compel Respondent YRC, Inc. (“YRC”) to produce documents responsive to a Rule 45 deposition subpoena of YRC employee Scott Bergman. [Doc. 1]. YRC responded to the petition, and XPO filed a reply. [Doc. 5; Doc. 8].

On April 11, 2017, the Court held a telephonic status conference regarding the petition and heard argument from both sides. Attending were Brian Witus and Kevin Clancy for XPO, and Lawrence Murphy and Kristen Pfeffer (a paralegal) for YRC. Mr. Clancy has not filed a notice of appearance in this case; he must do so by **April 14, 2017**.

For the reasons stated on the record, the Court **GRANTS** XPO’s petition to compel YRC to produce documents. Mr. Murphy must confer with YRC to determine when it can produce the documents responsive to Bergman’s deposition subpoena. After conferring with YRC, but no later than **April 17, 2017**, Mr. Murphy must inform XPO’s counsel the date by which YRC believes it can produce the underlying discovery. Counsel must then work together in good faith to establish a reasonable timeframe and

procedure for production of the discovery. If the parties cannot agree to the timeframe or procedure for production, they may seek Court intervention. However, failure to act reasonably and/or failure to work together in good faith may result in sanctions.

**IT IS ORDERED.**

S/Victoria A. Roberts  
Victoria A. Roberts  
United States District Judge

Dated: April 12, 2017