

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

ANGEL MARTINEZ

*On his own behalf and on behalf of all others
similarly situated*

PLAINTIFFS

V.

NO. 3:16CV00032-MPM-JMV

TRI-STATE ENTERPRISES, LLC, ET AL.

DEFENDANTS

ORDER

Consistent with the court's ruling from the bench during a hearing held June 21, 2017, on Plaintiff's Third Motion for Contempt [54], the motion is granted in part and denied in part.

Having accepted defense counsel's representation that his failure to update contact information with the court along with his suffering from certain health problems caused the failures raised in the motion, it is ordered that defense counsel must 1) immediately give all defendants notice of the status of this case; 2) provide them with copies of all of the court's orders; and 3) promptly (in no event later than 7 days from today) certify in writing on the docket that such notice and copies have been provided.

It is further ordered that the defendants shall have additional time **until July 22, 2017**, to pay the sanctions (\$4,954.81) ordered against them, jointly and severally, by Order [53] dated April 7, 2017. And, though the court found an additional sanction of \$400.00 should be assessed against defendants to cover Plaintiff's counsel's expenses incurred in connection with the instant motion; the court, upon further reflection, finds said sanction should be paid by defense counsel.

Accordingly, defense counsel shall pay to Plaintiff, for the benefit of Plaintiff's counsel, \$400.00 within 60 days of the date of this order.

Defendants and defense counsel are warned that failure to comply with this order will result in the court's consideration of further, appropriate sanctions, including, but not limited to, entry of a default judgment.

SO ORDERED this 22nd day of June, 2017.

/s/ Jane M. Virden
U. S. MAGISTRATE JUDGE