

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

MONIQUE DOSS and
NADIA HARRIS

VS.

CIVIL ACTION NO. 4:09CV38-MPM-DAS

NPC INTERNATIONAL, INC., ET AL.

ORDER

This matter is before the court following the district judge's remand to the magistrate judge for appropriate sanctions. On May 14, 2010, the undersigned ordered sanctions against plaintiffs' counsel for repeatedly filing actions identical to the present one in state court when the defendant had appropriately removed the initial case. The court found such actions violated Rule 11, needlessly increasing the cost of litigation. Plaintiffs' counsel objected to this order and appealed to the district judge who found that sanctions were appropriate, but that Rule 11(c)(4) prohibited an award of attorney's fees. Accordingly, the court must now order sanctions that are "limited to what suffices to deter repetition of the conduct or comparable conduct by others similarly situated." Fed. R. Civ. P. 11(c)(4).

After considering the matter and examining the actions in detail, the court finds that sanctions in the amount of \$5,000.00 are appropriate to deter repetition of the conduct exhibited in the present case.

IT IS, THEREFORE, ORDERED that plaintiffs' counsel – not the plaintiffs – shall pay to the clerk of court \$5,000.00 no later than October 4, 2010.

SO ORDERED, this the 22nd day of September, 2010.

/s/ David A. Sanders

UNITED STATES MAGISTRATE JUDGE