

UNITED STATES DISTRICT COURT  
 EASTERN DISTRICT OF MISSOURI  
 EASTERN DIVISION

|                         |   |                   |
|-------------------------|---|-------------------|
| CONNIE STEELMAN,        | ) |                   |
|                         | ) |                   |
| Plaintiff,              | ) |                   |
|                         | ) |                   |
| v.                      | ) | No. 4:12CV114 TIA |
|                         | ) |                   |
| F & J SALEM, LLC, d/b/a | ) |                   |
| CROWLEY HOME CENTER,    | ) |                   |
|                         | ) |                   |
| Defendant.              | ) |                   |

**MEMORANDUM AND ORDER**

This matter is before the Court on Defendant’s Motion to Compel Deposition (Doc. No. 29). The parties consented to the jurisdiction of the undersigned pursuant to 28 U.S.C. § 636(c).

On January 20, 2012, Plaintiff filed a Complaint for injunctive relief, alleging violations of the Americans with Disabilities Act (“ADA”), 42 U.S.C. §§ 12181 et seq., for failure to provide accessible facilities that accommodate Plaintiff’s wheelchair. This Court issued a Case Management Order (“CMO”) on August 2, 2012, which set forth, *inter alia*, the discovery deadlines in this case. According to the CMO, “[t]he parties shall complete written discovery, witness depositions, party depositions, and any inspections of the Defendant’s premises by Plaintiff no later than **May 29, 2013.**” (Case Management Order ¶ 6(f), ECF No. 22)

On June 13, 2013, Defendant filed a motion to compel Plaintiff’s deposition, indicating that it made several attempts to communicate with the *pro se* Plaintiff in order to schedule Plaintiff’s deposition. However, Plaintiff did not respond with any available dates. Subsequently, Defendant sent a letter and Notice of Deposition to Plaintiff via email and postal mail, setting her deposition for June 5, 2013 in St. Louis, Missouri. Plaintiff failed to appear at the scheduled deposition, despite the

