

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Samuel J. Bourne

v.

Civil No. 10-cv-393-LM

John R. Arruda, Jr., et al.

**NOTICE OF RULING**

Re: Document No. 121, Motion for Contempt

Ruling: Bourne's motion (doc. no. 121) is granted in part and denied in part. The request for a contempt finding, for a default judgment, and for other sanctions relating to defendants' discovery responses and disclosures is denied, for reasons stated in defendants' objection to the motion (doc. no. 123). The motion is granted, only to the extent that the court grants Bourne's request for a subpoena. Bourne has also requested that this court issue a subpoena directing King to provide Bourne with the email addresses used by King in distributing case updates relating to the Bourne litigation, and also directing King to provide Bourne with copies of all of his emails relating either to this defamation case, or to defendants' alleged defamation of Bourne at the June 2010 and February 2011 selectmen's meetings. In light of Bourne's pro se status and given that the court has extended the summary judgment deadline in this case, the court grants the request for a subpoena and directs the clerk, pursuant to Fed. R. Civ. P. 45(a)(3), to issue to Bourne a signed, blank subpoena, which Bourne may complete and serve upon Robert King. The court declines to issue any anticipatory ruling on any objection King or defendants may assert by motion or otherwise, if King is served with such a subpoena.

  
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Landya McCafferty  
United States Magistrate Judge

Date: July 16, 2012  
cc: Samuel J. Bourne, pro se  
Brian J.S. Cullen, Esq.