

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

THOMAS C. HALL and
DOROTHY J. HALL,

Plaintiffs,

v.

Civ. No. 16-1080 MV/GJF

HIGH MOUNTAIN AVIATION INC., et al.,

Defendants.

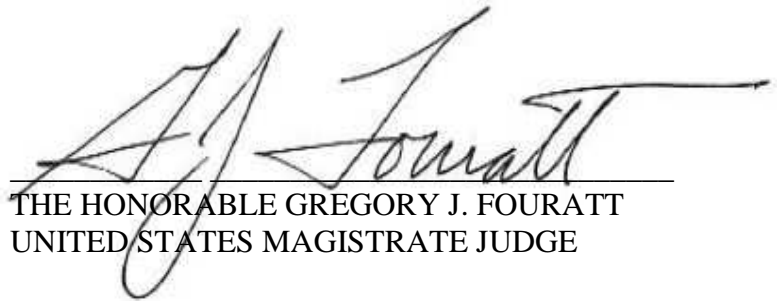
ORDER

This matter is before the Court on Plaintiff's "Agreed Motion to Compel the National Transportation Safety Board to Produce Subpoenaed Documents and Motion to Vacate Scheduling Order [] and Stay Proceedings Pending Production of Documents" ("Motion"). ECF No. 55. On September 28, 2017, the Court conducted a hearing on Plaintiff's Motion, at which counsel for all parties appeared. Having considered the positions and arguments of the parties, the Court **HEREBY GRANTS IN PART AND DENIES IN PART** Plaintiff's Motion, as further articulated below.

1. Plaintiff's Motion is **HEREBY DENIED** to the extent it seeks to compel the National Transportation Board ("NTSB") to produce documents under the Freedom of Information Act ("FOIA").
2. Plaintiff's Motion is **HEREBY DENIED** insofar as it seeks a stay of discovery, as the parties have abandoned this remedy.
3. Plaintiff's Motion is **HEREBY GRANTED** as to its pursuit of a new scheduling order. An amended scheduling order will issue contemporaneously with this Order.

4. Lastly, to the extent Plaintiff's Motion seeks to compel production from the NTSB under Federal Rules of Civil Procedure 37 and 45, the Court will take the Motion **UNDER ADVISEMENT**.

IT IS SO ORDERED.



THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE