

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:17 cv 86**

FIRST NATIONAL INSURANCE)	
COMPANY OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	
BRENDA L. LIVESAY and RONALD)	
LIVESAY AND BRENDA LIVESAY)	
FAMILY TRUST,)	
)	
Defendants.)	
<hr style="width: 40%; margin-left: 0;"/>)	

ORDER

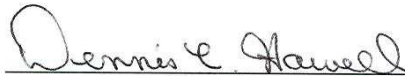
Before the Court is the Motion to Compel [# 33]. On May 15, 2018, Plaintiff filed its Motion to Compel seeking compliance with a subpoena requesting thirty-parties E.K. Morley and E.K. Morley, PLLC produce documents related to settlement claims against Morley. On May 16, 2018, the Court ordered third-parties E.K. Morley and E.K. Morley, PLLC, respond to the Motion and cautioned about a potential conflict of interest of one lawyer representing both an individual and a law firm [# 36]. The Court gave a deadline to respond of May 29, 2018. As of July 19, 2018, neither E.K. Morley nor E.K. Morley, PLLC have filed a response to the Court’s previous order.

Therefore, upon reviewing the Motion to Compel, the Court **GRANTS** the Motion [# 33]. The Court **ORDERS** third-parties E.K. Morley and E.K. Morley, PLLC to produce to Plaintiff all documents related to settlement of claims against Morley, including those related to settlement of Brenda Livesay v. E.K. Morley, Henderson County Superior Court,

Case No. 13-CVS-1591, including documents pertaining to disposition of settlement proceeds. E.K. Morley and E.K. Morley, PLLC shall have ten (10) days from the entry of this Order to comply with the Court's orders.

The Court **DIRECTS** Plaintiff to inform the Court if third-parties E.K. Morley and E.K. Morley, PLLC do not comply. If the third-parties do not comply, the Court will schedule a show cause hearing in order to determine whether to hold third-parties E.K. Morley and E.K. Morley, PLLC in contempt.

Signed: July 19, 2018



Dennis L. Howell
United States Magistrate Judge

