

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:11-CV-511-MOC-DCK**

RHAE JOHNSON,)	
)	
Plaintiff,)	
)	
v.)	
)	
THE SUNSHINE HOUSE, INC.,)	
)	
Defendant.)	
)	

ORDER

THIS MATTER IS BEFORE THE COURT regarding Plaintiff’s “Motion To Quash” (Document No. 42) and scheduling. This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate.

Plaintiff’s “Motion To Quash” (Document No. 42) seeks to quash her deposition, which was apparently proposed by Defendant pursuant to the Court’s previous “Order” (Document No. 40). Plaintiff suggests that her deposition, and other scheduling requirements, should be quashed pending her objections to previous Orders by the Court. Subsequent to the filing of the instant motion, the Honorable Max O. Cogburn, Jr. entered an “Order” (Document No. 46) overruling Plaintiff’s various objections and affirming the undersigned’s “Memorandum And Recommendation” (Document No. 39) and “Order” (Document No. 40) for revised scheduling.

In addition, Judge Cogburn’s “Order” (Document No. 46) specifically provided: “Plaintiff is now clearly and explicitly warned that the consequences of further failures to obey court orders, failure to attend her deposition, or failure to provide properly requested discovery, could result in the imposition of sanctions, including dismissal of her case with prejudice.” (Document No. 46, p.4).

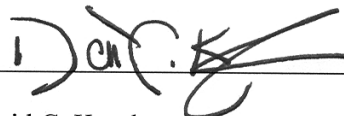
As such, the Court will yet again require the parties to file proposed revisions to the “Pretrial Order...” (Document No. 10) setting forth reasonable deadlines to get this matter ready for resolution by dispositive motion(s) or trial. The parties shall file a joint proposal, if possible. If the parties are unable to file a joint proposal, each party shall file its own. The proposed revisions to the “Pretrial Order...” must include a specific date for Plaintiff’s deposition.

IT IS, THEREFORE, ORDERED that Plaintiff’s “Motion To Quash” (Document No. 42) is **DENIED**.

IT IS FURTHER ORDERED that the parties shall file proposed revisions to the “Pretrial Order...” (Document No. 10), jointly if possible, on or before **November 20, 2012**, as more fully described herein.

SO ORDERED.

Signed: November 6, 2012



David C. Keesler
United States Magistrate Judge

