

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

Century Surety Company,)
)
Plaintiff,)
)
vs.)
)
Jim Hipner LLC, Robert Lopez, Huey)
Brock, Jose Chavez, and Abraham Reyes,)
)
Defendants.)

**ORDER SETTING SCHEDULE
FOR BRIEFING RE
DISCOVERY DISPUTE**

Case No. 4:12-cv-164

On April 21, 2014, the court held a telephonic status conference regarding a discovery dispute in the above-captioned case. Bradford S. Moyer appeared on plaintiff’s behalf. Michael D. Ainbinder appeared on behalf of defendant Huey Brock. Duane A. Lillehaug appeared on behalf of defendants Jim Hipner LLC and Huey Brock.

At issue is whether information relating to the parties’ understanding of certain language in the insurance policy, namely the phrase “as soon as practicable,” is discoverable. Particularly, defendant Huey Brock asserts that during a deposition, Everett Taylor, a corporate designee of plaintiff, improperly refused to respond to questions pertaining to the meaning/interpretation of certain policy language.

As stated during the conference call, the parties will be permitted to brief the issue as follows:

1. Defendant Huey Brock shall file his motion and supporting brief by May 5, 2014.
2. Plaintiff shall file its response within two weeks of the filing of defendant’s motion.

If defendant intends to enforce the answering of questions asked during the deposition at issue, defendant shall include with its filing the complete deposition transcript and the notice of

30(b)(6) deposition.

IT IS SO ORDERED.

Dated this 22nd day of April, 2014.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court