

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

ERIC J. RUTHERFORD,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 11-CV-445-CVE-FHM
)	
REGIONAL HYUNDAI, LLC,)	
)	
Defendant.)	

OPINION AND ORDER

This Order memorializes the Orders entered during the status conference and motion hearing held April 13, 2012.

Defendant’s Regional Hyundai, LLC’s Motion to Extend All Remaining Scheduling Order Deadlines and/or Motion to Compel [Dkt. 24] is GRANTED. Plaintiff shall produce all responsive documents to Defendant’s attorney by April 30, 2012. Plaintiff will be precluded from using any documents not produced to Defendant’s attorney for any purpose in this litigation.

Defendant Regional Hyundai, LLC’s Supplemental Motion to Compel [Dkt 57] is GRANTED. Plaintiff shall produce all responsive documents to Defendant’s attorney by April 30, 2012. Plaintiff will be precluded from using any document not produced to Defendant’s attorney for any purpose in the litigation.

Plaintiff is hereby ordered to appear and give his deposition in this case on May 4, 2012, at 9:30 at the U.S. Courthouse, 333 W. 4th Street, Tulsa, OK. The deposition will be held in the conference room of the undersigned on the 3rd floor of the courthouse.

Plaintiff is advised that if he fails to appear for his deposition the Court may impose sanctions including the dismissal of this case.

Defendant Regional Hyundai, LLC's Motion for Protective Order [Dkt.47] and Defendant Regional Hyundai, LLC's Motion to Quash Notice to Take Deposition of Jon Marrs, Jason Montalvo, Stavros Padazopoulos, and Terrie Hyland [Dkt.48] are GRANTED. The deposition of Defendant's employees shall be conducted in Tulsa, OK. Defendant's attorney shall file a notice with the court stating the date when the witnesses are available for deposition.

Plaintiff's Request to Submit Documents to the Court Electronically [Dkt.51] is GRANTED. Plaintiff is hereby allowed to file electronically and placed in CM/ECF format for this case only and subject to the Courts power to revoke this permission for any abuse of the privilege. Plaintiff is required to complete a CM/ECF registration form which is available on the Courts Web Page and return it to the Clerk's Office. Plaintiff shall confer with the Clerk's ECF Help Desk at 866-213-1957 prior to filing any documents to insure the documents comply with the rules. Plaintiff is specifically denied the privilege to file any "Sealed" pleadings through CM/ECF.

Plaintiff's Request/Motion to Quash and Sanction [Dkt.52] is DENIED. Plaintiff's deposition is properly held in the district where Plaintiff filed suit.

Plaintiff's Request/Motion to Quash and Sanction [Dkt. 54] is DENIED. The certificate of service shows Plaintiff was served with Defendant Regional Hyundai, LLC's Request for Additional Time to Supplement Said Motion to Compel [Dkt.45]. Even if Plaintiff did not receive Dkt. 45 there is no prejudice to Plaintiff.

Plaintiff's Motion for Sanctions [Dkt.58] is DENIED. There has NOT been any *ex parte* communication with the court.

The discovery deadline is extended to May 31, 2012. All remaining dates in the Scheduling Order [Dkt. 39] are not changed.

DATED this 13th day of April, 2012.


FRANK H. McCARTHY
UNITED STATES MAGISTRATE JUDGE