

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION**

Odell Parker; Ruth Parker; Larry Southern; Roy Southern; Yvonne Harris; and Barbara Patterson, individually and on behalf of others similarly situated in the State of South Carolina,

Plaintiffs,

vs.

Asbestos Processing, LLC; Richard H. Bishoff, PC; Richard H. Bishoff; John M. Deakle; A. Joel Bentley; A. Joel Bentley Law Office; William R. Couch; Couch Law Firm; David O. McCormick; Cumbest, Cumbest, Hunter & McCormick; Crymes G. Pittman; Pittman, Germany, Roberts & Welsh, LLP; John Michael Simms; and Lawyer John Doe and Jane Doe,

Defendants.

Civil Action No. 0:11-cv-1800-JFA


ORDER

This matter comes before the court on Plaintiffs' Motion for Sanctions Pursuant to Rule 11. Specifically, the Plaintiffs seek to have the court find that Defendants violated Rule 11 of the Federal Rules of Civil Procedure by submitting and filing alleged false and misleading sworn statements found in the Declaration of Penny Bentley, [ECF No. 337-16]. Further, as an appropriate sanction, the Plaintiffs request that the court strike Defendants Response in Opposition to the Plaintiffs' Motion for Certification of Common Issues, [ECF No. 294].

The court respectfully declines to impose sanctions. However, the court hereby orders Defendants to file an amended Declaration of Penny Bentley to clarify that Ms. Bentley has personal knowledge only as to the practices of certain Defendants for the period starting after February 2009. Accordingly, the court hereby DENIES Plaintiffs' Motion for Sanctions Pursuant to Rule 11.

IT IS SO ORDERED.

November 25, 2014
Columbia, South Carolina

A handwritten signature in black ink that reads "Joseph F. Anderson, Jr." The signature is written in a cursive style with a large initial 'J' and a distinct 'A'.

Joseph F. Anderson, Jr.
United States District Judge