

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BOND SAFEGUARD INSURANCE COMPANY))	
)	
Plaintiff)	
)	
v.)	No. 3:11-1129
)	Judge Nixon/Brown
)	
GERALD R. ROY, <i>et al.</i> ,)	
)	
Defendants)	

O R D E R

This matter was set for a telephone conference on March 14, 2012, at 11:00 a.m. It was clearly specified that the telephone conference would only be canceled if default was issued as to all Defendants.

Counsel for the Plaintiff later did call in and explained that his flight had originally been scheduled to land in sufficient time for him to make the 11:00 call, but due to an unexpected delay the aircraft was still in flight at 11:00 and he could not make the requisite call.

From an examination of the docket sheet it appears that an effort to serve the last remaining Defendant has been made. The docket does not reflect whether or not service of process was actually accomplished on Mr. Roy. Plaintiff's counsel is requested to advise the Court the date Mr. Roy was served. Plaintiff's counsel is free to file a motion for default. In filing for default the Plaintiff may need to provide a certificate showing that none of the individual Defendants are in the military service.

It is so **ORDERED**.

/s/ Joe B. Brown
JOE B. BROWN
United States Magistrate Judge