Pitt Excavating LLC v. Pitt Doc. 24

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

PITT EXCAVATING LLC	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 3:13-cv-00909
	)	
MARY LOU PITT,	)	Chief Judge Haynes
	)	
Defendant.	)	

ORDER
This motion is GRANTED
9-23-13

MOTION FOR EXPEDITED DISCOVERY TO TAKE THE DEPOSITION OF JOHN W. PITT, II and the CORPORATE REPRESENTATIVE OF PITT EXCAVATING LLC AND TO ALLOW ISSUANCE OF SUBPOENAS FOR THE PURPOSE OF RESPONDING TO THE MOTION FOR PARTIAL SUMMARY JUDGMENT AND PRELIMINARY INJUNCTION

Without waiving its jurisdictional defense and in an effort to support its motion to dismiss and respond to the pending motions filed by Plaintiff in fact the Court denies the Motion to dismiss filed by Defendant, Mary Lou Pitt ("Ms. Pitt"), by and through her undersigned counsel files this motion for expedited discovery to take the deposition of John W. Pitt, II and the Corporate Representative of Pitt Excavating LLC. Specifically, the Defendant requests relief from F.R.C.P. 26(d) which mandates no discovery may be sought before the parties have conferred as required by Rule 26(f). Counsel for Defendant sought permission from Counsel for Plaintiff for such Deposition, but it was refused.

This Court entered a Motion for Temporary Restraining order on September 12, 2013. A bond was posted by the Plaintiff on September 17, 2013. An Emergency Motion to Dismiss was filed on September 13, 2013. The Plaintiff filed an Amended Petition on

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