

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

CHAD ELIE,
Plaintiff,

vs.

JEREMY JOHNSON, SUNFIRST BANK,
N.A., SUNFIRST CORP., TOWN &
COUNTRY BANK, TRIPLE SEVEN LLC,
SCOTT LEAVITT, JASON T. VOWELL,
TODD L. VOEWLL, LOYD JOHNSTON,
and KERRY JOHNSON,

Defendants.

SEALED

MEMORANDUM DECISION AND
ORDER DENYING PLAINTIFF'S EX
PARTE MOTION FOR EXPEDITED
DISCOVERY AND FOR LEAVE OF
COURT TO TAKE DEPOSITIONS
OF DEFENDANTS

Case No. 2:10-CV-1273

This matter is before the Court on Plaintiff's Ex Parte Motion for Expedited Discovery and for Leave of Court to Take Depositions of Defendants. Plaintiffs seek the Court to order that, prior to the hearing scheduled in the matter for Friday, January 14, 2011, Defendants respond to Plaintiff's written discovery and make the following eight individuals available for a deposition: Jeremy Johnson, Todd L. Vowell, Jason T. Vowell, Scott Leavitt, Kerry Johnson,

Loyd Johnson, the corporate designee for Sunfirst Bank, N.A., and the corporate designee for Town & Country Bank.

Plaintiff seeks his relief ex parte. The Court is unwilling to order Defendants to make themselves available for deposition testimony in the next four days without first giving them the opportunity to respond to Plaintiff's Motion to Expedite Discovery. Thus, it is hereby

ORDERED that Plaintiff's Ex Parte Motion for Expedited Discovery (Docket No. ___) is DENIED without prejudice.

DATED January 10, 2011.

BY THE COURT:



TED STEWART
United States District Judge