

08-10084.oam

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Case Number: 08-10084-CIV-BROWN

PETER HALMOS, INTERNATIONAL
YACHTING CHARTERS, INC., and HIGH
PLAINS CAPITAL,

Plaintiffs,

vs.

INSURANCE COMPANY OF NORTH
AMERICA and STRICKLAND MARINE
INSURANCE, INC., (f/k/a STRICKLAND
MARINE AGENCY, INC.),

Defendants.

ORDER RE: MOTION FOR SANCTIONS RE: EDWARD COLLINS

This matter is before this Court on defendant Insurance Company of North America's Motion for Sanctions...(D.E. 796). The Court has considered the motion, the response, the reply and all pertinent materials in the file.

The matter is much like that addressed in the order re: D.E. 795. Plaintiffs only wish to focus the Court on the recent issues regarding the taking of this deposition, and defendant wants the Court to focus on the earlier ones.

Therefore, and the Court being otherwise fully advised in the premises it is hereby **ORDERED AND ADJUDGED** as follows:

1. The motion for sanctions is **DENIED**.
2. Mr. Collins (having previously been subpoenaed and therefore within the jurisdiction of

the Court) shall appear for deposition, on three (3) business days notice, on any day from August 5-13, 2010.

4. If Plaintiffs or Mr. Collins prevent this from occurring, plaintiffs will be barred from calling Mr. Collins as a witness in this case, and further sanctions may be imposed.

5. If defendant is unable to take this deposition within this time frame, defendant SHALL be barred from noticing same thereafter.

DONE AND ORDERED in Chambers at Miami, Florida, this 30th day of July, 2010.

/s Stephen T. Brown

STEPHEN T. BROWN
CHIEF UNITED STATES MAGISTRATE JUDGE

cc: Counsel of record