

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

THELMA WHITE, et al.,

Plaintiffs,

v.

14051 MANCHESTER, INC. d/b/a  
HOTSHOTS SPORTS BAR & GRILL, et al.,

Defendants.

Case No. 4:12CV469 JAR

**MEMORANDUM AND ORDER**

This matter is before the Court on Defendants' Motion to Strike Declaration of Joe Fuchs (ECF No. 162). The Court construes this as a motion to compel the deposition of Joe Fuchs. The Court grants the motion to compel the deposition of Joe Fuchs. Defendants are ordered to re-serve Mr. Fuchs no later than **December 20, 2013** and to complete Mr. Fuchs' deposition no later than **January 15, 2014**. If Mr. Fuchs fails to appear for his deposition, then the Court will strike Mr. Fuchs' Declaration (ECF No. 140-61) and Mr. Fuchs will not be allowed to be a witness in this action.

Dated this 6<sup>th</sup> day of December, 2013.

  
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JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE