

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**LAWRENCE M. SMITH, and UNITED
STATES OF AMERICA, *ex rel*
Plaintiffs,**

v.

**DEION L. SANDERS, *Individually*,
ET AL.,
Defendants.**

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Civil Action No. 3:12-CV-4377-M

Referred to U.S. Magistrate Judge

ORDER

Pursuant to the standing order of reference dated June 8, 2015 (doc. 126) this case was referred for full case management, including the determination of non-dispositive motions and issuance of findings of fact and recommendations on dispositive motions. Before the Court for determination is *Plaintiffs' Second Motion to Set Hearing on Motion to Compel Discovery from Defendant Deion L. Sanders, and Request for Attorney Fees*, filed July 20, 2017 (doc. 317).

An oral argument concerning the motion was conducted on August 11, 2017. Defendant Deion L. Sanders was ordered to personally attend the oral argument. The order setting the oral argument specifically provided that his failure to attend the oral argument would result in the imposition of sanctions. Mr. Sanders failed to attend the argument as ordered, and he has failed to comply with the order of July 7, 2017, to provide discovery. After consideration of the relevant filings, evidence, oral argument, and applicable law, and for the reasons stated on the record during the hearing, the motion is **GRANTED IN PART**.

1. The relator's request for an award of costs and attorneys' fees associated with the filing of its motion under FED. R. CIV. P. 37(b)(2) is **GRANTED**. Costs and fees in the amount of \$2,200.00, which the Court finds is reasonable and necessary, are assessed against defendant Deion L. Sanders. He must tender this amount to the relator's counsel within fourteen (14) days of the date of this order.

2. Defendant Deion L. Sanders must produce his responses to the relator's discovery requests and all responsive documents by the close of business on August 25, 2017, unless otherwise agreed by the parties. As noted in the agreed order dated May 8, 2017 (doc. 266), all objections are deemed waived.

SO ORDERED on this 11th day of August, 2017.


IRMA CARRILLO RAMIREZ
UNITED STATES MAGISTRATE JUDGE