

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAPOWER-3, LLC, et. al.,

Defendants.

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Civil Action No. 7:17-mc-00002-O-BP

ORDER

Before the Court are Plaintiff's Motion to Compel the Deposition of Third-Party John Howell (ECF No. 1), filed May 5, 2017; and Respondent John Howell's Response to Plaintiff's Motion to Compel a Deposition (ECF No. 4), filed under seal June 5, 2017. The Court held a hearing on Plaintiff's Motion on June 8, 2017. *See* ECF No. 5.

For the reasons stated at the Hearing, the Court **ORDERS** as follows:

1. Plaintiff's Motion to Compel (ECF No. 1) is **GRANTED in part** and **held in abeyance in part**.
2. Counsel for the parties shall confer as to a mutually agreeable time within the next sixty days for the deposition of Respondent John Howell and the date and location for such deposition.
3. Counsel for the parties shall file a joint status report on or before **July 7, 2017** apprising the Court of the agreement reached regarding Mr. Howell's deposition and any outstanding disputes requiring a ruling from the Court.

It is so **ORDERED** on June 8, 2017.



Hal R. Ray, Jr.
UNITED STATES MAGISTRATE JUDGE