

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

In re:

Case No. 6:08-bk-02174-ABB
Chapter 7

JOSEPH PAUL MARCHESSAULT,

Debtor.

JACK DURIE, JR.,

Plaintiff,

vs.

Adv. Pro. No. 6:08-ap-00124-ABB

JOSEPH PAUL MARCHESSAULT,

Defendant.

ORDER

This matter came before the Court on the Response to Court's Order to Summarize Complaints (Doc. No. 41) ("Response") filed by Jack Durie, Jr., the Plaintiff herein ("Plaintiff"). The Plaintiff, in open Court and by Order entered on February 26, 2009 (Doc. No. 40), was directed to file a statement of the case not to exceed three pages with double-spaced lines.

The February 26, 2009 Order sets forth failure to comply with the Order shall result in appropriate sanctions and enjoins filings:

Plaintiff and Defendant are hereby enjoined from filing any pleadings or documents in this adversary proceeding unless such filing has been specifically directed by this Order or leave of Court has been granted.

Order at p. 4.

The Response consists of six pages of text single-spaced and five pages of a partial transcript with underlining and handwriting in

the margins. The Plaintiff did not comply with the Court's directive and the Response is due to be stricken. The Plaintiff is due to be barred from conducting any further discovery.

Joseph Paul Marchessault, the *pro se* Debtor and Defendant herein ("Defendant"), shall be allowed to conduct limited discovery as directed by the Court. A trial date will be set upon the closing of the Defendant's discovery period.

Accordingly, it is

ORDERED, ADJUDGED and DECREED that the Plaintiff's Response (Doc. No. 41) is hereby **STRICKEN**; and it is further

ORDERED, ADJUDGED and DECREED that the Plaintiff is hereby **ENJOINED** from conducting any further discovery in this proceeding; and it is further

ORDERED, ADJUDGED and DECREED that on or before March 18, 2009 the Defendant shall file the discovery Defendant requires to defend himself in this matter; and it is further

ORDERED, ADJUDGED and DECREED that the injunction of the February 26, 2009 Order remains in full force and effect.

Dated this 10th day of March, 2009.

/s/Arthur B. Briskman
ARTHUR B. BRISKMAN
United States Bankruptcy Judge