

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
MISSISSIPPI, OXFORD DIVISION

Joseph G. Joiner v. Wal-Mart Stores East, LP, et al.

Joiner · No. 3:24-CV-00204-MPM-JMV · Decided March 2, 2026

SUMMARY

The court grants Defendants’ motion to quash Plaintiff’s noticed deposition of former Wal-Mart employee Lane Smith. The ruling finds that Plaintiff improperly failed to appear for his continued deposition without seeking a protective order or adequately resolving his objections to the location and scope of the deposition. The court requires Plaintiff to complete his deposition before proceeding with the deposition of Lane Smith and will schedule a status conference to address both depositions.

CASE DETAILS

COURT	United States District Court for the Northern District of Mississippi, Oxford Division
WRITING FOR THE COURT	Jane M. Virden
JURISDICTION	United States District Court for the Northern District of Mississippi, Oxford Division
DECIDED	March 2, 2026
DOCKET	3:24-CV-00204-MPM-JMV
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved to quash Plaintiff's notice of deposition of former Wal-Mart employee Lane Smith after Plaintiff failed to appear for his own continued deposition. The court granted the motion to quash and directed that Plaintiff complete his deposition before proceeding with the Smith deposition.
STANDARD OF REVIEW	The court applied the good-cause standard governing protective orders and exercised broad discretion in determining whether protection from discovery was warranted.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- discovery dispute
- civil procedure

PRACTICE AREAS

civil procedure

discovery

QUESTIONS PRESENTED

1. Whether Defendants established good cause to quash Plaintiff's notice of Lane Smith's deposition after Plaintiff failed to appear for his own properly noticed continued deposition.
2. Whether Plaintiff should be required to complete his own deposition before proceeding with the deposition of a former Wal-Mart employee.

HOLDINGS

1. Good cause existed to quash the deposition notice because Plaintiff failed to appear for his continued deposition, did not seek a protective order before refusing to attend, and thereby caused unnecessary expense and delayed discovery.
2. Plaintiff must complete his continued deposition before he may proceed with the deposition of Lane Smith.

KEY QUOTATIONS

““Good cause” exists when justice requires the protection of “a party or person from annoyance, embarrassment, oppression, or undue burden or expense.””

“For the foregoing reasons, the Defendants’ motion to quash [Doc. 146] the deposition notice for March 4, 2026, of Lane Smith is GRANTED.”

FACTUAL BACKGROUND

Plaintiff had previously failed to provide complete discovery responses and a medical-records authorization, limiting Defendants' ability to question him fully at his initial deposition. Defendants noticed a continued deposition concerning medical records and damages for February 23, 2026, in Tupelo, Mississippi, within 75 miles of Plaintiff's apparent residence in Oxford. Plaintiff objected by email to the location and anticipated length but did not respond further, contact the court, or appear at the deposition. He then noticed the deposition of Lane Smith for March 4, 2026.

PROCEDURAL HISTORY

The court previously granted Defendants' motion to compel, ordered Plaintiff to provide complete discovery responses and a medical-records authorization, and awarded Defendants reasonable expenses. Defendants later noticed Plaintiff's continued deposition concerning medical records and damages. Plaintiff did not appear at the noticed deposition, did not seek a protective order, and instead noticed the deposition of Lane Smith. Following a status conference, Defendants moved to quash the Smith deposition notice.

DISPOSITION

other

REMAND INSTRUCTIONS

The court will set a further status conference to address resetting Plaintiff's deposition and the quashed deposition of Lane Smith. Plaintiff must complete his deposition before proceeding with the Smith deposition.

CASES CITED

- Harris v. Clay County, Mississippi, 2021 WL 8343187 (N.D. Miss. Jan. 7, 2021)
- Landry v. Air Line Pilots Association, 901 F.2d 404, 435 (5th Cir.), cert. denied, 498 U.S. 895 (1990)
- Harris v. Amoco Production Co., 768 F.2d 669, 684 (5th Cir. 1985)

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