

IN THE SUPERIOR COURT OF GWINNETT COUNTY  
STATE OF GEORGIA

FILED IN OFFICE  
CLERK SUPERIOR COURT  
GWINNETT COUNTY, GA

2019 DEC 18 PM 2:37

RICHARD ALEXANDER, CLERK

**Brittenee Amber Wilkins,** )  
 )  
**Plaintiff,** )  
 )  
**v.** ) **CIVIL ACTION**  
 )  
 ) **FILE NO: 19-A-01346-3**  
 )  
**Eshai Corporation and** )  
**Courier Distribution Systems, LLC,** )  
 )  
**Defendants.** )

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**ORDER OF DISMISSAL WITH PREJUDICE**

This matter came before the Court on Defendants' *Motion to Dismiss and for Sanctions*, on the 12th day of December, 2019. Plaintiff was notified of said hearing and failed to appear. After review of the file and argument of counsel, the Court finds as follows:

On September 20, 2019, upon *Defendants' Motion to Compel Discovery and Motion to Strike Allegations in Plaintiff's Complaint*, the Court issued an *Order Granting Defendants' Motion to Compel and Amending Scheduling Order*, wherein Plaintiff was commanded to supplement her responses and documents produced to Defendant within 14 days and submit to reopen her deposition within 30 days, and also, among other relief, awarded Defendants' reasonable expenses, including attorney's fees, related to the bringing of said *Motion*, to be determined at a hearing on a later date; and

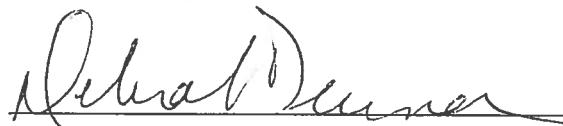
On October 8, 2019, upon *Plaintiff's Request for Extension of Deadlines in Court's Order Granting Defendants' Motion to Compel and Amending Scheduling Order*, the Court issued an *Order Denying Plaintiff's Request for Extension*, in which the Court affirmed the discovery

deadlines as set forth in the Order dated September 20, 2019 and ordered Plaintiff to appear for her deposition on October 16, 2019; and

Plaintiff subsequently failed to supplement her discovery and failed to appear for her deposition as commanded the Court;

**ACCORDINGLY**, the Court finds that Plaintiff is in willful contempt of this Court's Orders and has failed to prosecute her case. Pursuant to O.C.G.A. § 9-11-37(b)(2)(C) and this Court's inherent authority, it is hereby **ORDERED** that all claims and prayers for relief asserted by Plaintiff Brittenee Amber Wilkins are hereby **DISMISSED WITH PREJUDICE**. The Court reserves jurisdiction to determine the amount of reasonable expenses, including attorneys' fees and costs, due to Defendants pursuant to this Court's September 20, 2019 *Order* granting same and for final adjudication of the remaining relief sought in Defendants' *Motion to Dismiss and for Sanctions* and *Defendants' Application for Attorneys' Fees and Costs*.

SO ORDERED, this 17 day of December, 2019.



Honorable Debra K. Turner  
Senior Judge, presiding *by designation*, Gwinnett  
Superior Court

Copies via U.S. Mail to:  
Katy Aultman Esq, Thrasher Worth, LLC

Brittenee Amber Wilkins