

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: : MISCELLANEOUS
: :
NATIONAL FINANCIAL :
PARTNERS CORP., et al. : NO. 09-mc-00007-JF

MEMORANDUM AND ORDER

Fullam, Sr. J.

February 5, 2009

The parties are involved in an arbitration proceeding, pending before an arbitrator in Philadelphia. William Corry, the respondent in that arbitration, has filed a motion to quash five subpoenas which have been issued by the arbitrator, and which would require non-parties to produce documents at "pre-merits hearings" to be held within 100 miles of each witness's residence. Four of the witnesses are located in Florida, and the fifth in Western Pennsylvania.

The subpoenas are not directed to Mr. Corry and, on the present record, he lacks standing to preclude compliance with the subpoenas. 9A Federal Practice and Procedure § 2459 at 41 (2d Ed. 1995); Barbine v. Keystone Quality Transport (E.D. Pa. Apr. 2, 2004, C.A. No. 03-3426)(Dalzell, J.)

An Order follows.

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ORDER

AND NOW, this 5th day of February 2009, IT IS ORDERED:

That the motion of William Corry to quash non-party
subpoenas is DENIED, for lack of standing.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.