

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

CEP MID-CONTINENT LLC,)	
)	
PLAINTIFF,)	
)	
vs.)	CASE No. 09-CV-350-CVE-FHM
)	
TURKEY CREEK, L.L.C.,)	
)	
DEFENDANT.)	

OPINION AND ORDER

Defendant’s Unopposed Motion to Extend Deposition Deadline [Dkt. 38] is before the Court for decision. Defendant seeks a 30-day extension of the January 4, 2010 discovery cutoff for the purpose of deposing Plaintiff’s witnesses. Defendant states that on December 18, 2009, counsel requested depositions of Plaintiff’s witnesses to be held December 28, 2009 through December 31, 2009, but Plaintiff’s attorney was not available for those dates. Defendant’s motion recites that if the Court grants Defendant’s motion, this may require the extension of other deadlines in the case. Plaintiff filed a Response to Defendant’s motion [Dkt. 39] to clarify that Plaintiff does not oppose an extension of time for both sides to depose witnesses but objects to any other type of discovery or the extension of any other deadline.

Defendant’s motion fails to explain why Defendant waited until December 18, 2009, to request depositions of Plaintiff’s witnesses, how many depositions need to be taken or why the motion requests a 30-day extension when Defendant requested four days for depositions, December 28, 2009 to December 31, 2009, in his communication to Plaintiff’s counsel.

Despite the deficiencies in Defendant's motion and in light of the parties' agreement that additional time is needed for depositions, the Court will GRANT an additional two weeks, until January 18, 2010, to complete depositions of witnesses. This will allow the depositions to be conducted without requiring any extension of the other deadlines in the case.

SO ORDERED this 30th day of December, 2009.


FRANK H. McCARTHY
UNITED STATES MAGISTRATE JUDGE