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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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12 James L. Gagan,)
c/o David G. Bray)
13 Mariscal, Weeks, McIntyre)
Friedlander, P.A.)
14 2901 N. Central Ave.,)
Suite 200)
15 Phoenix, AZ 85012,)

No. CIV 99-1427-PHX-RCB

16 Plaintiff/Judgment)
Creditor,)

O R D E R

17 vs.)

18 James A. Monroe)
19 12880 East Mercer Lane)
Scottsdale, AZ 85259,)

20 Defendant/Judgment Debtor,)

21 Kim Sullivan a/k/a Kimberley)
22 Sullivan a/k/a Kim Monroe)
a/k/a Kimberley Monroe)
23 a/k/a/ Kimberley Martin)
a/k/a Kimberly Perry)
24 a/k/a Kimberley Pirtle)
a/k/a Kimberley Clark)
25 12880 East Mercer Lane)
Scottsdale, AZ 85259,)

26)
27 Garnishee Defendant.)

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Currently pending before the court is plaintiffs James L.

1 Gagan's motion to continue the hearing scheduled for Monday,
2 February 11, 2013, at 10:00 a.m., and to extend the time to
3 conduct discovery. Mot. (Doc. 456) at 1. Given that the
4 hearing is imminent, and because there is no prejudice to
5 defendants by the relief granted herein, the court is
6 considering this motion without allowing for a response or
7 reply.

8 For the reasons set forth in plaintiff's motion (Doc.
9 456) at ¶¶ 1 - 5, the court hereby **GRANTS in part** and **DENIES**
10 **in part** the relief which plaintiff is seeking. More
11 specifically, **IT IS ORDERED** that:

12 (1) the hearing set for February 11, 2013, is **VACATED** and
13 to be reset at a later date yet to be determined;

14 (2) defendant Monroe shall provide responses to written
15 discovery by **no later than February 18, 2013**;

16 (3) defendant Monroe shall make himself available for
17 deposition **within the next 45 days after** written discovery
18 responses are served;

19 (4) plaintiff shall have an extension of **45 days** from the
20 date of entry of this order by which to complete discovery
21 with respect to garnishee defendant Kim Sullivan.


22 To the extent plaintiff is seeking an order requiring
23 garnishee defendant Sullivan to provide responses to written
24 discovery no later than February 18, 2013, the court **DENIES**
25 that aspect of plaintiff's motion as duplicative in light of
26 . . .

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1 this court's November 19, 2012 order (Doc. 449).

2 DATED this 8th day of February, 2013.

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Robert C. Broomfield
Senior United States District Judge

Copies to all counsel of record and *pro se* Garnishee
Defendant Kim Sullivan