

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

ALAN L. BRESLOW and LINDA L. SHAFFER

PLAINTIFFS

v.

Civil No. 10-3055

RECONTRUST COMPANY, N.A., ATTORNEY-
IN-FACT FOR BAC HOME LOANS SERVICING,
L.P. f/k/a COUNTRYWIDE HOME LOAN
SERVICING

DEFENDANT

O R D E R

Now on this 1st day of November, 2010, comes on for consideration **Plaintiff's Motion To Compel Discovery** (document #13), and from said motion, and the response thereto, the Court finds and orders as follows:

1. Plaintiffs allege that they propounded Interrogatories to defendant on March 29, 2010, and that responses were not forthcoming until June 7, 2010. On this basis they contend that defendant waived all objections to the Interrogatories, and should be required to answer them fully.

2. Defendant offers letters from its counsel to plaintiffs counsel which appear to confirm two agreed-upon extensions to respond to the Interrogatories in question - made before this case was removed and while it was governed by the Arkansas Rules of Civil Procedure, which allow the parties to agree in writing to an extension of time to respond. See **A.R.C.P. 33(b)**. Pursuant to those letters, the Answers To Interrogatories were timely.

3. The Court need not determine whether there was a valid

agreement to extend the time to respond. Plaintiffs have failed to direct the Court's attention to any particular Interrogatory as to which they seek to compel answer, or as to which they contend the answer is incomplete or insufficient. The Court declines the implicit suggestion that it pore over the Answers To Interrogatories and try to determine which responses, if any, are incomplete or insufficient.

IT IS THEREFORE ORDERED that **Plaintiff's Motion To Compel Discovery** (document #13) is **denied**.

IT IS SO ORDERED.

/s/ Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE