

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

JOHN STEVENS

PLAINTIFF

v.

Civil No. 4:15-cv-04041

FOREST RIVER, INC.

DEFENDANT

**ORDER**

**BEFORE** the Court is the Defendant's Motion to Compel. ECF No. 12. With this motion, Defendant seek to compel responses to certain discovery requests propounded to Plaintiff. The Plaintiff has not responded to this Motion. Pursuant to the provisions of 28 U.S.C. § 636(b)(1) and (3) (2005), United States District Judge Susan O. Hickey referred this Motion to the undersigned for decision. The Court having reviewed the pleadings and arguments of counsel finds Defendant's Motion to Compel (ECF No. 12), should be **GRANTED**.

On December 12, 2015, Defendant filed a Motion to Compel seeking an Order compelling Plaintiff to respond to Initial Disclosures and Defendant's First Set of Interrogatories and Requests for Production. ECF No. 12. In their Motion, Defendant states they have not received Plaintiff's responses to Initial Disclosures which were due on August 21, 2015. Further, Defendant served Interrogatories and Requests for Production on October 20, 2015 which have not been answered by Plaintiff. *Id.* On December 2, 2015, Defendant sent correspondence to Plaintiff requesting his past due responses be provided within 10 days and informing Plaintiff, if he failed to respond, Defendants would file a motion to compel. ECF No. 12-2. Plaintiff did not respond.

In compliance with Fed. R. Civ. P. 26(a) and the parties' Joint Rule 26(f) Report, the Plaintiff's Initial Disclosures were due on August 21, 2015. ECF No. 8. Under the Federal Rules of Civil Procedure, Plaintiff is afforded thirty (30) days to respond to discovery requests. Fed. R.

Civ. P. 33(b)(2) & 34(b)(2)(A). Plaintiff did not request an extension of time to respond to Defendants' discovery requests. Therefore, Plaintiff has failed to respond to Defendant's First Set of Interrogatories and Requests for Production in the time provided by law.

Accordingly, Defendant's Motion to Compel (ECF No. 12) is **GRANTED**. Plaintiff is **DIRECTED** to provide his Initial Disclosures to Defendant and his responses to Defendant's First Set of Interrogatories and Requests for Production **by 5:00 p.m. on Friday, January 22, 2016**. Plaintiff is advised that failure to comply with this Order may result in the dismissal of this case.

**IT IS SO ORDERED** this 7<sup>th</sup> day of January 2016.

/s/ Barry A. Bryant  
HON. BARRY A. BRYANT  
UNITED STATES MAGISTRATE JUDGE