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

DANIEL ROWE,
Plaintiff,
vs.
MONTROYA, et al.
Defendants.

No. 1:07-CV-272-CKJ

ORDER

Pending before the Court is Plaintiff’s Motion for an Order to Compel [Doc. # 29]. Defendants have filed an opposition. Plaintiff has not filed a reply.

Plaintiff requests an order directing Defendants to fully answer interrogatories, produce requested documents, and respond to requests for admissions. Defendants assert that they have timely responded to all discovery requests and have attached copies to their opposition. As to Plaintiff’s assertion that they did not “fully” provide answers and discovery, Defendants assert that interrogatories and requests for production were jointly propounded – i.e., single demands calling for factual responses to an interrogatory, a written response to a request for production, and production of responsive documents all at the same time. Defendants assert they objected to the form of the interrogatories and requests for production.

Plaintiff has not provided a copy of the interrogatories and requests for production submitted to Defendants. A review of the requested disclosure, as shown by the attachments

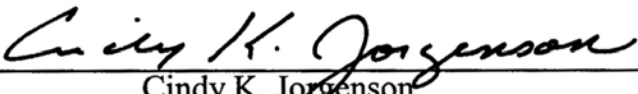
1 submitted by Defendants, supports Defendants' assertion. Plaintiff has combined the
2 interrogatories and requests for production in contravention of applicable rules. *See*
3 Fed.R.Civ.P. 33 and 34; L.R. 33-250 and 34-250. The Court will deny the Motion to
4 Compel.

5 However, because the discovery deadline expired while this motion was pending, the
6 Court will extend the discovery deadline to provide Plaintiff an opportunity to resubmit his
7 discovery requests to Defendants in compliance with applicable rules.¹

8 Accordingly, IT IS ORDERED:

- 9 1. Plaintiff's Motion for an Order to Compel [Doc. # 29] is DENIED.
- 10 2. The deadline for completing **discovery** shall be completed by **September 7,**
11 **2009.**
- 12 3. **Dispositive motions** shall be filed on or before **October 12, 2009.**

13 DATED this 14th day of July, 2009.

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16 _____
17 Cindy K. Jorgenson
18 United States District Judge
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27 ¹The parties are advised that, by extending the deadlines, the Court anticipates a party
28 requesting discovery under Fed.R.Civ.P. 33 and 34 will be able to provide the party from
whom discovery is being requested sufficient time under the rules to respond.

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