

1 responses. Fed. R. Civ. P. 37(a)(3)(B). “It is well established that a failure to object to discovery
2 request within the time required constitutes a waiver of any objection.” Richmark Corp. v. Timber
3 Falling Consultants, 959 F.2d 1468, 1473 (9th Cir. 1992) (citing Davis v. Fendler, 650 F.2d 1154,
4 1160 (9th Cir. 1981)). The moving party bears the burden of demonstrating “actual and substantial
5 prejudice” from the denial of discovery. See Hallett v. Morgan, 296 F.3d 732, 751 (9th Cir. 2002)
6 (citations omitted).

7 On November 14, 2014, Defendants Frazier and Snyder served their discovery requests on
8 Plaintiff. (Angus Decl. Ex. A-C.) Pursuant to the discovery and scheduling order, Plaintiff’s
9 responses to the discovery requests were due on or before December 29, 2014. (ECF No. 23.) As of
10 the date of the filing of the motion to compel, Defendants have not received any responses to their
11 discovery requests. (Angus Decl. ¶ 5.)

12 Plaintiff’s failure to timely respond to Defendants’ discovery requests or procure an extension
13 of time is a violation of Plaintiff’s discovery obligations. Accordingly, the Court will grant
14 Defendants’ motion to compel directing Plaintiff to provide complete responses-without objections-to
15 Defendants’ requests for discovery. See Richmark Corp., 959 F.2d at 1473 (quoting Davis, 650 F.2d
16 at 1160 (“It is well established that a failure to object to discovery requests within the time required
17 constitutes a waiver of any objection.”)).

18 **B. Extension of Discovery and Dispositive Motion Deadline**

19 Defendants seek an extension of the discovery deadline given that Plaintiff failed to respond to
20 their discovery requests within the discovery cut-off date. Defendants further “need additional time to
21 draft and file a further motion to compel, if necessary, and schedule and take Plaintiff’s deposition.”
22 Defendants therefore request an extension of forty-five days from the date of receipt of Plaintiff’s
23 discovery responses to take Plaintiff’s deposition and file a motion to compel.

24 In addition, Defendants request an extension of time to file their dispositive motion. The
25 current dispositive motion deadline is set to expire on March 30, 2014. (ECF No. 23.) Defendants
26 reason that because they have not yet received Plaintiff’s responses to the discovery requests, they
27 have been unable to prepare their dispositive motion.

