

THOMPSON V. RIZZITELLI ET AL., 10 CV 71 (JBA) – ELECTRONIC ENDORSEMENT ON DKT. #111

8/10/11 – ELECTRONIC ENDORSEMENT GRANTING DEFENDANTS’ MOTION TO COMPEL DISCOVERY (Dkt. #111).

The factual and procedural history behind this litigation is set forth in considerable detail in this Magistrate Judge’s Ruling on Plaintiff’s Application for Prejudgment Remedy, filed June 18, 2010 (Dkt. #25), in U.S. District Judge Janet Bond Arterton’s Ruling on Motion to Dismiss, filed March 29, 2011 (Dkt. #74), 2011 WL 1215190; and in this Magistrate Judge’s electronic endorsement, filed August 5, 2011 (Dkt. #114; see also Dkts. ##40, 67, 72).

Under the latest scheduling order filed by this Magistrate Judge on May 12, 2011 (Dkt. #90), all discovery, including depositions, is to be completed by October 14, 2011, and after a pre-filing conference is held, all dispositive motions are to be filed by November 18, 2011. (¶¶ 1-4).

The obsessiveness with which this file is being litigated is illustrated by the fact that defendants’ Motion to Compel Discovery (Dkt. #111), plaintiff’s brief in opposition (Dkt. #112), and defendants’ reply brief (Dkt. #112), were all filed within a three-day period. Most of the bickering in these filings relates the inability of the pro se plaintiff and defense counsel to be civil to each other, with plaintiff describing them as “combatants[.]” (Dkt. #112, Brief at 5). As has been the case, it is best if communications between them are done through e-mail, so that there can be a paper trail of who said what to whom and when. The multiple e-mails attached to defendants’ reply brief (Dkt. #115) indicate that discovery requests were in fact served on plaintiff on June 15, 2011, with defense counsel having sent reminder e-mails to plaintiff on July 20 and 23, 2011.

Accordingly, defendants’ Motion to Compel Discovery (Dkt. #111) is granted, and plaintiff shall respond **on or before September 2, 2011.**