

ELECTRONIC ORDER ON PLAINTIFF'S MOTION TO COMPEL (Dkt. #35) AND MOTION TO EXTEND DEADLINES (Dkt. #44) IN ROBERT ASHLUND v. I.C. SYSTEM, INC., 17 CV 65 (JBA)

12/5/17 – On November 28, 2017, plaintiff filed the pending Motion to Compel defendant to provide responsive answers to interrogatories and requests for production that were served on defendant on June 28, 2017. (Dkt. #35; Dkt. #36, at 2-3 & Exh. A). On December 4, 2017, defendant filed its brief in opposition, with exhibits in support (Dkt. #45), and the next day, plaintiff filed his reply brief, with exhibits in support. (Dkt. #47). Also on December 4, 2017, plaintiff filed a Motion to Extend Deadlines to Conduct Depositions and Complete Discovery. (Dkt. #44). On December 5, 2017, the motions were referred to this Magistrate Judge from U.S. District Judge Janet Bond Arterton. (Dkt. #46). Discovery is scheduled to close on December 20, 2017 and the dispositive motion deadline is January 30, 2018. (Dkt. #13).

In his reply brief, plaintiff states that “[d]efendant finally produced the improperly withheld discovery after first making baseless objections and then stalling for months.” (Dkt. #47, at 1). Plaintiff asserts that defendant used “boilerplate objections[,]” “then ignored . . . two deficiency letters[]” dated October 2, 2017 and October 19, 2017, and still failed to respond after counsel conferred on November 7, 2017 and November 14, 2017. (*Id.* at 3-6). Plaintiff acknowledges that “[d]efendant no longer needs to be compelled to produce [the withheld documents,]” but plaintiff argues that “[s]anctions . . . should be awarded” in the amount of “\$1,289.50 for the time expended in preparing and filing this motion.” (*Id.* at 1, 7). Plaintiff’s Motion to Compel (Dkt. #35) is denied as moot, and plaintiff’s request for an imposition of sanctions is denied without prejudice to renew at the conclusion of discovery.

In plaintiff’s Motion to Extend Deadlines, plaintiff seeks a thirty day extension of the current deadlines in light of defendant’s belated discovery compliance which denied plaintiff the time to “efficiently prepare” for the Rule 30(b)(6) deposition that is currently scheduled for December 8, 2017. (Dkt. #44, at 1). In light of defendant’s compliance with the outstanding discovery requests just four days prior to the scheduled Rule 30(b)(6) deposition, plaintiff’s Motion to Extend Deadlines (Dkt. #44) is granted such that all depositions and discovery shall be completed **on or before January 19, 2018**, and dispositive motions shall be filed **on or before February 28, 2018**.