

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION**

**FAULKNER PRESS, LLC,  
et al,**

**Plaintiffs,**

**vs.**

**CASE NO. 1:08CV49-SPM/AK**

**CLASS NOTES, LLC,  
et al,**

**Defendants.**

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**ORDER**

Presently before the Court is Plaintiff's Motion for Order to Show Cause (Doc. 126), to which Defendants have responded. (Doc. 129). Also before the Court is Plaintiff's Motion to Extend Time (doc. 127), which Defendants oppose in principle, (doc. 128), but they concede additional discovery time is needed.

First, Defendants represent that documents will be made available on January 13, 2010, which is today, and the Court expects the issues to be **fully** resolved without further court intervention. Defendants know the Court's position regarding the relevancy of these documents, so there is no point in stalling their production and forcing Plaintiffs to file yet another motion. However, Defendants are correct that *production* of financial documents was not at issue in the previous motion, (doc. 89), only their identification in

response to Interrogatory No.4. (See Order dated December 9, 2009, doc. 122).

Therefore, insofar as Plaintiffs move for contempt and sanctions, the motion is **DENIED**.

The Court will extend the discovery deadline through **February 15, 2010**, the last date for mediation, but Plaintiffs have presented no cause to extend deadlines for sixty days at this time. Plaintiffs have identified only one specific deposition that has had to be continued because of the delay in receiving financial information from the Defendants and allude to "more depositions," but the extension herein granted provides for over thirty days to conduct at least the one deposition presently identified, which should be sufficient. If the parties find additional cause to extend the time further they may present such cause in a motion filed after mediation. The Court is aware that a third amended complaint has been filed, if more extensive discovery is required because of this new pleading, the parties should make this the grounds for their motion to extend time and if a trial continuance becomes necessary, this relief should be sought from the district judge. At present, the Court does not find sufficient grounds for continuing the trial, which is presently scheduled for May 3, 2010.

Accordingly, it is

**ORDERED:**

1. Plaintiff's Motion for Order to Show Cause (doc. 126) is **DENIED**.
2. Plaintiff's Motion to Extend Time (doc. 127) is **GRANTED IN PART**, insofar as

the discovery deadline shall be extended through **February 15, 2010**, but **DENIED** in all other respects.

**DONE AND ORDERED** this 13<sup>th</sup> day of January, 2010.

***s/ A. KORNBLUM***  
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**ALLAN KORNBLUM**  
**UNITED STATES MAGISTRATE JUDGE**