

07-21221.oc

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA

Case Number: 07-21221-CIV-ALTONAGA-BROWN

RENE BLASZOWSKI, et al., individually
and on behalf of others similarly situated,

Plaintiffs,

vs.

MARS INCORPORATED, et al.,

Defendants.

ORDER DENYING MOTION FOR RECONSIDERATION

This matter is before this Court on defendant's Motion for Reconsideration ...(D.E. 610), filed January 28, 2009. The Court has considered the motion and all pertinent materials in the file.

Initially, the Court would note that this Court's Law Clerk disputes parts of the conversation related in the motion. However, that matter need not be further addressed to resolve this motion. The fact is really rather simple - counsel has all kinds of arguments and excuses to attempt (unsuccessfully) to obfuscate one simple fact - counsel's apparent failure to read orders of the Court.

That failure - and that failure alone - led us to where this motion sits. It further leaves us with the fact that discovery is to be completed by February 9, 2009... a virtual impossibility if this Court were to grant this motion and accept the responses, since it would have to allow the permissible time for the reply, have some time to rule on same, and - if any further discovery were appropriate, it would take place long after the discovery cutoff.

Therefore, and the Court being otherwise fully advised in the premises it is hereby

ORDERED AND ADJUDGED that said motion be and the same is hereby **DENIED**. This ruling is without prejudice to be reconsidered in the event the discovery deadline is extended by the District Judge.

DONE AND ORDERED in Chambers at Miami, Florida, this 29th day of January, 2009.



STEPHEN T. BROWN
UNITED STATES MAGISTRATE JUDGE

cc: Hon. Cecilia M. Altonaga
parties and counsel of record