

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 12-22487-CIV-ROSENBAUM/SELTZER

KAREN ADKINSON-GILLIAM, as the
Personal Representative of the ESTATE OF
KALEENA GILLIAM,

Plaintiff,

v.

HOLDING RIU HOTELS, INC., *et al.*,

Defendants.

**ORDER DENYING MOTION TO COMPEL AND
MOTION FOR EXTENSION OF TIME**

This matter is before the Court upon Plaintiff's Motion to Compel the Deposition of Alejandro Sanchez Del Arco and for a Brief Extension of Time [D.E. 49]. On August 7, 2013, Plaintiff was granted a three-week extension of time to respond to Defendants' combined dismissal and summary judgment motion [D.E. 40], in part, to permit Plaintiff to take the deposition of Alejandro Sanchez Del Arco. *See* D.E. 44; D.E. 45. Today, September 6, 2013—the date Plaintiff's response is due—she filed the instant motion seeking an order compelling Defendants to produce Mr. Sanchez Del Arco for a deposition and to again extend the deadline for filing Plaintiff's response brief by another two weeks. D.E. 49, ¶ 10.

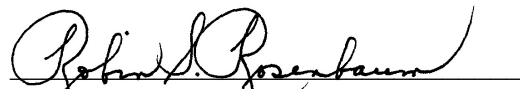
A party seeking to extend a deadline is required to show good cause for such an extension. *See* Fed. R. Civ. P. 6(b)(1). Here, although Plaintiff indicates that she has made "numerous requests" to Defendants to produce Mr. Sanchez Del Arco, she does not explain why she has waited

until the day her brief was due to file her motion to compel the deposition she sought to take before filing her brief. Accordingly, she has not demonstrated good cause to extend the response deadline in order to accommodate this deposition.

Furthermore, Plaintiff has failed to comply with the Local Rules in filing the instant motion. The Local Rules of this Court require a party submitting motion to confer or “make a reasonable effort” to confer with the opposing side in an attempt to resolve the motion by agreement. L.R. 7.1(a)(3), S.D. Fla. When submitting a motion, the moving party must certify that a conference took place but the parties were unable to resolve their dispute or the moving party must certify that despite reasonable efforts—that are identified with specificity—the parties were unable to confer. *Id.* Here, Plaintiff has only stated generally that she “has attempted to confer with counsel for Defendants on this motion, but has not received any response.” D.E. 49, ¶ 12. Because Plaintiff has failed to identify her conferral efforts with specificity, she has not complied with the Local Rules, and, on this basis as well, her Motion must be denied.

Accordingly, it is **ORDERED and ADJUDGED** that Plaintiff’s Motion to Compel the Deposition of Alejandro Sanchez Del Arco and for a Brief Extension of Time [D.E. 49] is **DENIED**.

DONE AND ORDERED in Fort Lauderdale Florida, this 6th day of September 2013.


ROBIN S. ROSENBAUM
UNITED STATES DISTRICT JUDGE

cc: The Honorable Barry S. Seltzer
Counsel of record