

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

COLONIAL LIFE & ACCIDENT)
INSURANCE CO.,)
)
Plaintiff,)
)
v.)
)
ROBERT L. ROBBINS; BROOKE)
ROBBINS; ARON G. WEINER, as)
Administrator of the Estate of Susan)
E. Robbins; DAMIAN BEDNARCZYK;)
and TARA BEDNARCZYK,)
)
Defendants.)

Case No. CV414-254


ORDER

On August 6, 2015 -- approximately one month after the deadline passed for the parties to conduct a Rule 26(f) conference -- the Court ordered plaintiff to show cause why this interpleader action should not be dismissed for failure to file a Rule 26(f) report. Doc. 17. Plaintiff and Aron Weiner, the only defendant to date who has answered, then belatedly conferenced and filed the required report on August 19, 2015. Doc. 18. Plaintiff has now responded to the Court's show cause order, stating that it neglected to file the report on time because it simply "failed to calendar the due date." Doc. 19 at 1. Furthermore, says

plaintiff, it has paid the disputed life insurance benefit into the registry of the Court, does not intend to conduct discovery, and shortly will file a motion for discharge of liability, at which point Weiner will move for entry of default against the other defendants and “disbursement of the interpleader fund to the Estate of Susan E. Robbins.” *Id.* at 3-4.

Plaintiff offers no good excuse for its negligent failure to follow a Court order (doc. 2). But since the parties have now conferred as required and represent that they will soon take steps to expeditiously conclude this matter, dismissal would only undermine the “just, speedy, and inexpensive” resolution contemplated by Fed. R. Civ. P. 1. The Court therefore will not impose that sanction, but will hold the parties to their promises to move for discharge and entry of default. Consequently, both motions must be filed within 30 days of the date this Order is served.

SO ORDERED, this 21st day of August, 2015.



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA