

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

WILLIAM HICKMAN,)
)
 Plaintiff,)
)
 v.)
)
 ANDY G. HOCKING,)
 HOCKING OIL COMPANY, INC., and)
 COUNTRYMARK COOPERATIVE, LLP,)
)
 Defendants.)

Civil No. **07-829-JPG**

ORDER

PROUD, Magistrate Judge:

Before the court is defendants’ Motion to Quash Deposition Notices. (**Doc. 43**). Plaintiff filed a response at **Doc. 45**, to which defendants replied at **Doc. 46**.

The court has extended the deadlines for discovery and dispositive motions once in this case, on the grounds that the parties were engaged in settlement negotiations and had not completed discovery. The deadline for the completion of discovery was extended to September 19, 2008. In that order, the court cautioned that “Once a lawsuit is filed, the parties cannot reasonably expect to defer necessary discovery indefinitely while they talk settlement.” **See, Doc. 31.**

Thereafter, on November 19, 2008, a joint motion to re-open discovery and extend the trial date was denied. Thus, the parties have been on notice that the court intends to try this case at the current setting of January 12, 2009.

In the instant motion, filed on December 8, 2008, defendants ask the court to quash notices of depositions which were served December 5, 2008, long after the extended discovery

deadline had expired.

Neither party has been particularly diligent about pursuing discovery in this case. The court has already denied a request to extend the discovery deadline beyond September 19, 2008. Plaintiff has not demonstrated good cause to re-open discovery at this late date.

Upon consideration and after consultation with Judge Gilbert, defendants' Motion to Quash Deposition Notices (**Doc. 43**) is **GRANTED**. No further depositions shall be taken in this case, unless by written consent of the parties.

This case remains set for a bench trial on **January 12, 2009**.

IT IS SO ORDERED.

DATE: December 16, 2008.

s/ Clifford J. Proud
CLIFFORD J. PROUD
UNITED STATES MAGISTRATE JUDGE