

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

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|---|---|-------------------------------------|
| BOBBY J. JOHNSON, JR., |) | |
| |) | |
| Plaintiff , |) | |
| |) | |
| vs. |) | CAUSE NO. 1:08-cv-50-WTL-JMS |
| |) | |
| HIX WRECKER SERVICE, INC., et al., |) | |
| |) | |
| Defendants. |) | |

ORDER ON MOTION TO RECONSIDER

This cause is before the Court on a motion to reconsider filed by the Plaintiff and the Defendants' objection thereto. The Plaintiff asks the Court to reconsider that portion of a recent order that denied his request to extend his deadline for responding to the Defendants' motions for summary judgment until after the completion of discovery. The request was denied because the Plaintiff failed to identify any discovery that would be relevant to the motions for summary judgment and failed to comply with the requirements of Federal Rule of Civil Procedure 56(f). The Court ordered the Plaintiff to file his response by March 5, 2009.

In his motion to reconsider, the Plaintiff still fails to identify any incomplete discovery that would be relevant to his response to the Defendants' motions. However, the Plaintiff now argues that he should not be required to file his response to the Defendants' motions until he files his own motion for summary judgment. The Magistrate Judge assigned to this case recently established a deadline of **April 30, 2009**, for the Plaintiff's anticipated motion for summary judgment. The Court agrees that judicial economy would best be served by permitting the Plaintiff to respond to the Defendants' motions at the same time as he files his cross-motion for summary judgment. Accordingly, the Plaintiff's motion to reconsider is **GRANTED**. The

Plaintiff shall respond to the Defendants' motions for summary judgment by no later than **April 30, 2009**; the Defendants shall file their reply brief within 15 days thereafter. Neither party shall anticipate that a motion for extension of these deadlines will be granted absent extraordinary circumstances.

SO ORDERED: 03/24/2009

A handwritten signature in cursive script, reading "William T. Lawrence", is written over a horizontal line.

Hon. William T. Lawrence, Judge
United States District Court
Southern District of Indiana

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