

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

GERI LYNN, LLC	*	CIVIL ACTION
VERSUS	*	NO. 22-1330
NEW YORK MARIN & GENERAL INSURANCE COMPANY	*	SECTION "D" (2)

**ORDER AND REASONS**

Pending before me is Plaintiff's *Ex Parte*/Consent Motion to Continue (ECF No. 40) the submission date of its Motion to Compel Discovery Responses (ECF No. 38). The motion was scheduled for submission on December 6, 2023, and Defendant failed to file an Opposition Memorandum by the Tuesday, November 28, 2023 deadline. *See* E.D. La. L.R. 7.5.

Plaintiff issued discovery to Defendant on August 21, 2023. ECF No. 38-1 at 1. After granting extensions and despite repeated requests, no responses were provided by the time she filed her motion to compel. *Id.* at 2. Five days after Plaintiff filed her motion to compel on November 17, 2023, Defendant provided discovery responses. *See* ECF No. 40 ¶ 3.

Plaintiff now seeks to continue the submission date of her motion to compel to provide Defendant with additional time to supplement its discovery responses as requested and "potentially resolve the remaining discovery issues." *Id.* ¶ 6. Plaintiff's motion to compel is based on the Defendant's failure to respond, not any particular defects in the responses. As Plaintiff has now received the responses, the current motion is moot. Should there be particular issues with the substance of the responses, Plaintiff will need to address

those in a properly filed motion and supporting memorandum. Costs incurred in filing the motion to compel may be addressed at that time. Accordingly,

IT IS ORDERED that Plaintiff's Motion to Compel Discovery Responses (ECF No. 38) is DISMISSED AS MOOT.

IT IS FURTHER ORDERED that Plaintiff's Motion to Continue (ECF No. 40) is DENIED.

] Dated this 7th day of December, 2023.

  
DONNA PHILLIPS CURRAULT  
UNITED STATES MAGISTRATE JUDGE