

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA**

**NAOMI SANDRES**

**CIVIL ACTION**

**VERSUS**

**MV TECH AUTO WORK, LLC**

**NO. 09-652-BAJ-CN**

**RULING & ORDER**

This matter is before the Court on the Motion to Compel (R. Doc. 74) filed by plaintiff, Naomi Sandres (“Sandres”), wherein she seeks an Order compelling defendant, MV Tech Auto Work, LLC (“MV Tech”), to provide responses to the interrogatories and requests for production of documents that she propounded upon that entity over a month ago. MV Tech has not filed an opposition to Sandres’ motion.

**LAW & ANALYSIS**

Local Rule 7.5M of the Middle District of Louisiana requires that memoranda in opposition to a motion be filed within twenty-one (21) days after service of the motion. The rule specifically provides:

LR7.5M      Response and Memorandum

Each respondent opposing a motion shall file a response, including opposing affidavits, memorandum, and such supporting documents as are then available, within 21 days after service of the motion. Memoranda shall contain a concise statement of the reasons in opposition to the motion, and a citation of authorities upon which the respondent relies. For good cause appearing therefor, a respondent may be required to file a response and supporting documents, including memoranda, within such shorter or longer period of time as the court may order, upon written ex parte motion served on all parties.

The present motion was filed on October 5, 2011, and the Certificate of Service attached to the motion indicates that the motion was sent by U.S. Mail to MV Tech on October 4, 2011. Over twenty-one (21) days have elapsed since the service of the motion, and MV Tech has failed to file any opposition. The motion is therefore deemed to be unopposed.

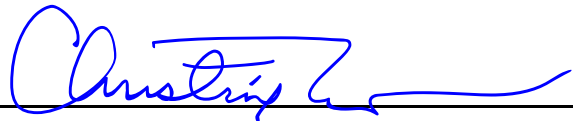
In addition to being unopposed, because MV Tech failed to timely submit any responses or objections to Sandres' discovery requests, the Court finds that this motion has merit. Pursuant to Fed. R. Civ. P. 33 and 34, a party upon whom interrogatories and requests for production of documents have been served shall serve a copy of the answers, and objections, if any, to such discovery requests within thirty (30) days after the service of the requests. Fed. R. Civ. P. 33 and 34. A shorter or longer time may be directed by court order or agreed to in writing by the parties. *Id.* Because MV Tech did not produce written responses or objections to Sandres' discovery requests within thirty (30) days after they were served and did not obtain an extension of time within which to respond from Sandres or from the Court, the present motion to compel will be granted. MV Tech will be ordered to produce complete responses to Sandres' discovery requests within fifteen (15) days of this Order.

Accordingly;

**IT IS ORDERED** that the Motion to Compel (R. Doc. 74) filed by plaintiff, Naomi Sandres, is hereby **GRANTED** and that defendant, MV Tech Auto Work, LLC, shall provide complete responses to plaintiff's Interrogatories and Requests for Production of Documents within fifteen (15) days of the date of this Order.

**IT IS FURTHER ORDERED** that a copy of this Order shall be served upon MV Tech Auto Work, LLC, 7273 Greenwell Springs Road, Baton Rouge, LA 70805.

Signed in chambers in Baton Rouge, Louisiana, October 27, 2011.



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**MAGISTRATE JUDGE CHRISTINE NOLAND**