

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

HUGO CHAVEZ

CIVIL ACTION

VERSUS

NUMBER 09-00972-RET-DLD

SID J. GAUTREAUX, III, ET AL

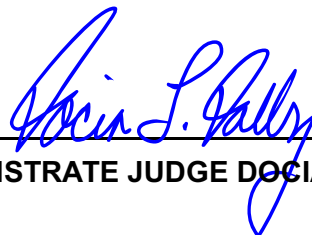
ORDER

This matter is before the court on a referral from the district court on defendants' motion to compel discovery responses (rec.doc. 17), filed herein on January 21, 2011. Defendants stated in their motion that they propounded interrogatories and requests for production of documents to plaintiff on October 15, 2010, but as of the date of the filing of the motion to compel, and despite several attempts to resolve the matter, no responses have been received. Defendants state in their motion that plaintiff's counsel advised them via telephone on January 11, 2011, that she has been unable to locate her client and would not be able to provide responses to discovery.

According to ULLR 7.5M, any opposition to this motion was required to be filed within twenty-one (21) days after service. Plaintiff's response to the motion was due February 14, 2011, but as of February 16, 2011, the court has not received such response.

In light of the plaintiff's failure to respond both to the discovery and to this motion in a timely fashion, defendants' motion is **GRANTED** with reasonable costs not to exceed \$250, excluding attorneys' fees, to be borne by plaintiff, and plaintiff is **ORDERED** to file responses to outstanding discovery on or before **March 2, 2011**. No attorneys' fees are awarded at this time, however, repeated failure to respond to discovery may result in additional sanctions, up to and including dismissal.

Signed in Baton Rouge, Louisiana, on February 16, 2011.



MAGISTRATE JUDGE DOCIA L. DALBY