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WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

CHARLES K. BOURGEOIS

CIVIL ACTION NO. 08-870

VERSUS

JUDGE DOHERTY

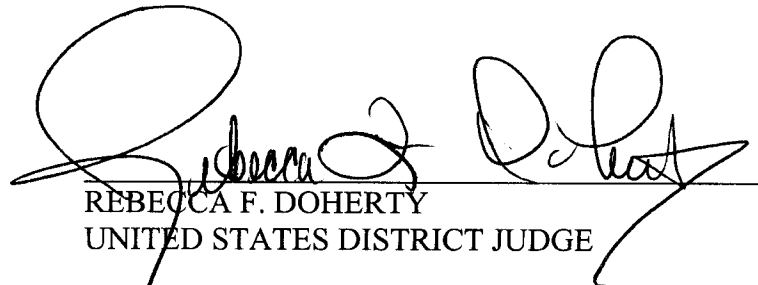
UNITED STATES OF AMERICA

MAGISTRATE JUDGE METHVIN

MEMORANDUM RULING & ORDER

Currently pending before the Court is a motion for summary judgment, filed by defendant the United States of America, seeking dismissal of plaintiff's claim with prejudice. [Doc. 9-1] The Court required all dispositive motions in this matter to be filed no later than August 19, 2009. [Doc. 4] However, the pending motion was not filed until September 14, 2009. No extensions have been sought for the filing of dispositive motions.¹ FED. R. CIV. P. 16 gives this Court broad discretion over scheduling matters. *See also* FED. R. CIV. P. 56(c)(1). Accordingly, the motion for summary judgment is DENIED as untimely, and all issues addressed therein will be resolved at trial on the merits (currently set for November 30, 2009).

THUS DONE AND SIGNED in Lafayette, Louisiana, this 9 day of November, 2009.


REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE

¹While the Court notes plaintiff was granted an extension of the deadline for submission of expert reports, neither he nor the government sought an extension for the submission of dispositive motions, nor is it likely same would have been granted. This Court rarely grants extensions for submission of dispositive motions, as such an extension typically does not allow the Court adequate time to rule on the motion prior to the pre-trial conference.