

# United States District Court District of Massachusetts

NATIONWIDE MUTUAL  
INSURANCE COMPANY,  
Plaintiff,

V.

CIVIL ACTION NO. 2008-11073-NG

SPINAL IMAGING, INC., ET AL.,  
Defendants.

***PROCEDURAL  
ORDER ON DEFENDANT  
SPINAL IMAGING, INC.'S  
MOTION TO COMPEL FURTHER  
INTERROGATORY ANSWERS (#93)***

COLLINGS, U.S.M.J.

It appears from plaintiff's own pleadings that the defendant Spinal Imaging, Inc., served the interrogatories on August 6, 2009, and plaintiff did not serve answers/objections until October 1, 2009. This is well beyond the thirty days provided in Rule 33(b)(2), Fed. R. Civ. P. Further, it does not appear that the thirty-day period was enlarged either by the Court or agreement of counsel.

In these circumstances, the plaintiff shall show cause, if any there be, in writing *on or before the close of business on January 13, 2010*, why all asserted objections to answering the interrogatories should not be found to have been waived because of their untimely assertion pursuant to L.R. 33(b)(4) (D. Mass.).

*/s/ Robert B. Collings*

ROBERT B. COLLINGS  
United States Magistrate Judge

January 7, 2010.