

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

THOMAS D'ANGELO,

Plaintiff,

vs.

PAUL PARENT, CLINTON TOWNSHIP,
a municipal entity, NICHOLAS DYKAS,
JASON FIGURSKI and KEITH WATSON,
in their official and individual capacities,
jointly and severally,

Defendants.

Case No. 2:10-c-12195

Hon. Lawrence P. Zatkoff

Magistrate Judge Mona Majzoub

Removed from Macomb County Circuit
Case No. 10-944-NO

AMOS E. WILLIAMS (P39118)
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**DEFENDANTS CLINTON TOWNSHIP, NICHOLAS DYKAS,
JASON FIGURSKI and KEITH WATSON'S MOTION FOR LEAVE TO FILE RESPONSE
TO PLAINTIFF'S MOTION TO COMPEL DISCOVERY [7]**

NOW COME Defendants, CLINTON TOWNSHIP, NICHOLAS DYKAS, JASON FIGURSKI and KEITH WATSON (hereinafter referred to as "Defendant"), by and through their attorneys, Plunkett Cooney, and for their Motion for Leave to File Responses to Plaintiff's Motion to Compel [7] states as follows:

1. Plaintiff filed a Motion to Compel Against Defendants on or about August 31, 2010 [doc 7].

2. Defendant filed a Motion to Compel against Plaintiff on or about September 2, 2010 [doc 10].

3. Both Plaintiff and Defendants subsequently exchanged their respective discovery responses leaving the pending motions moot.

4. Defendants anticipated that both Plaintiff and Defendants would file a Notice of Withdrawal of Motion and therefore did not timely response to Plaintiff's Motion.

5. It now appears that Plaintiff is desirous to proceed with his Motion and treat it as a motion to compel more specific responses from Defendants, which the undersigned does not believe is proper.

6. Defendants have this date filed their Notice of Withdrawal of Motion [doc 13].

7. As Plaintiff not dismissed his Motion to Compel, Defendants requests this Honorable Court grant leave for Defendants to file a Response to Plaintiff's Motion to Compel.

WHEREFORE, the above-named Defendants respectfully requests this Honorable Court allow Plaintiff to file a Response to Plaintiff's Motion to Compel within 5 days upon entry of an Order.

PLUNKETT COONEY

BY: S/Peter W. Peacock
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Dated: October 7, 2010

PROOF OF SERVICE

The undersigned certifies that on October 7, 2010 I electronically filed the foregoing pleading with the Clerk of the Court using ECF system which will send notification of such filing to the all attorneys of record of all parties in the above cause

s/Peter W. Peacock

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