

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

NATIONWIDE PROPERTY & CASUALTY
INSURANCE COMPANY,

Plaintiff-Counter Defendant,

v.

Case No. 15-14491

JAMES BROWN and TAMARA BROWN,

Defendants-Counter Claimants.

**ORDER GRANTING MOTION TO COMPEL AND
EXTENDING SCHEDULING ORDER**

Now before the court is a Motion to Compel filed by Plaintiff Nationwide Property & Casualty Insurance Company on December 7, 2016. (Dkt. # 27.) In its motion, Plaintiff avers that it sent Defendants James and Tamara Brown's counsel various interrogatories and requests to produce dated October 27, 2016 and that Defendants have not formally responded. (*Id.*) Plaintiff further states that it attempted to subpoena medical records, but has been unable to absent signed authorizations from Defendant James Brown, which have been repeatedly sent to Defendants' counsel but not returned. (*Id.*) Plaintiff asks the court to compel Defendants to respond to the interrogatories and requests to produce as well as to return the signed authorizations. (*Id.*) Plaintiff also asks the court to extend the scheduling order by ninety days. (*Id.*)

In their response filed December 14, 2016, Defendants admit Plaintiff's factual averments and acknowledge that they have a duty to respond to Plaintiff's discovery requests. (Dkt. # 30.) The response states that Defendant Tamara Brown now resides outside of the state of Michigan, and Defendant James Brown is currently homeless and

relying on a rotating group of friends for shelter. (*Id.*) In any event, the response states that signed authorizations and response will be forthcoming.

In light of Defendants' confirmation of Plaintiff's averments and acknowledgment of their duty to respond, the court finds a hearing is unnecessary. LR 7.1(f)(2). The court will grant Plaintiff's motion, compel responses, and issue an extension to the discovery deadline.¹ Accordingly,

IT IS ORDERED that "Plaintiff's Motion to Compel Defendants to Provide Authorizations and complete Answers to Discovery and to Extend the Scheduling Order and Notice of Hearing Theron" (Dkt. # 27) is GRANTED. Defendants are DIRECTED to provide signed authorizations and signed responses to the above-referenced discovery requests **by Wednesday, January 11, 2017.**

IT IS FURTHER ORDERED that the discovery deadline is EXTENDED until **January 20, 2017** with no other deadlines to be extended.

s/Robert H. Cleland /
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: January 6, 2017

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, January 6, 2017, by electronic and/or ordinary mail.

s/Lisa Wagner /
Case Manager and Deputy Clerk
(313) 234-5522

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¹ Plaintiff requests a ninety-day extension of the scheduling order. The court finds that a twenty-one day extension to the discovery deadline should suffice if the parties work diligently and cooperatively to complete all remaining discovery and depositions.