

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ALAN BECKMAN,)
)
 Plaintiff,)
)
 v.)
)
 FRANKLIN COUNTY COMMISSION, et al.,)
)
 Defendants.)

No. 4:09-CV-1735 CAS

ORDER

This matter is before the Court on the Joint Motion by Plaintiff Alan Beckman and Defendants JFCAC and Ellen Dietrich to Permit Discovery under Rule 26(d)(1), Federal Rules of Civil Procedure.

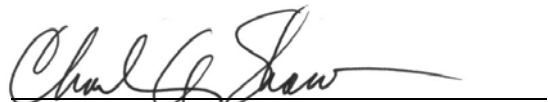
Rule 26(d)(1), Fed. R. Civ. P., provides that a party may not seek discovery from any source before the parties have met and conferred as required by Rule 26(f), Fed. R. Civ. P. The rule is subject to certain exceptions, including a court order permitting discovery. This Court has adopted a “good cause” or “reasonableness” standard for expedited discovery requests. Monsanto Co. v. Woods, 250 F.R.D. 411, 413 (E.D. Mo. 2008). “Under the good cause standard, the party requesting expedited discovery must show that the need for expedited discovery, in consideration of [the] administration of justice, outweighs prejudice to responding party.” Id. (cited cases omitted).

In this case, the plaintiff and the two defendants who have filed answers to the complaint jointly move for expedited discovery because this matter is set for a preliminary injunction hearing

on February 9, 2010.¹ As a result, the parties have shown good cause for expedited discovery and a lack of prejudice, and the motion should be granted.

Accordingly,

IT IS HEREBY ORDERED that Joint Motion by Plaintiff Alan Beckman and Defendants JFCAC and Ellen Dietrich to Permit Discovery is **GRANTED**. [Doc. 24]


CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 2nd day of December, 2009.

¹On December 1, 2009, the Court issued an order directing plaintiff to seek a Clerk's Entry of Default under Federal Rule of Civil Procedure 55(a) against the other four defendants, who were served with summons and complaint but have not filed any response within the time permitted to do so.