

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CHESTERFIELD SPINE CENTER, LLC,)
)
 Plaintiff,)
)
 vs.) Case No. 4:15 CV 1169 RWS
)
 GILSTER-MARY LEE CORP.,)
)
 Defendant.)


MEMORANDUM AND ORDER

On May 19, 2017, I granted defendant's unopposed motion for attorney's fees and bill of costs. Plaintiff now seeks to file an opposition to the motion out of time, citing his inadvertence caused by his workload and his mistaken belief regarding the filing deadlines. Plaintiff has sought numerous extensions of time in this case. Plaintiff's failure to timely respond to Court deadlines resulted in two Show Cause Orders being issued to plaintiff, including one for counsel's failure to appear for the Rule 16 scheduling conference. Each time, the Court permitted plaintiff to file responses out of time. The Court even granted plaintiff three extensions of time to respond to summary judgment. The case is now closed in this Court and on appeal with the Eighth Circuit Court of Appeals at plaintiff's request. After due consideration of plaintiff's numerous requests for extensions of time and the procedural posture of this case, I will deny the motion for leave to file

an opposition out of time.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for leave to file an opposition out of time [105] is denied.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 26th day of May, 2017.