

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

ALLSTATE FIRE AND CASUALTY  
INSURANCE COMPANY,

Plaintiff,

vs.

KRISTIE MATTESON, *et al.*,

Defendants.

CV 17-31-BLG-SPW-TJC

**ORDER**

A Preliminary Pretrial Conference was held in this case on May 16, 2017 (Docs. 6, 37), during which defendants/counter-claimants Taylor Stephenson and Travis Stephenson (collectively, the “Stephensons”) requested that the Court decline to set a case schedule at this time and instead grant a period of limited discovery to allow the Stephensons sufficient opportunity to respond to plaintiff/counter-defendant Allstate Fire and Casualty Insurance Company’s (“Allstate”) Motion for Summary Judgment (Doc. 31). Allstate does not oppose the request, and no other party indicated any opposition.

Although the Stephensons did not explicitly invoke Fed. R. Civ. P. 56(d) in making their request, the Court will construe the Stephensons’ request as an unopposed Rule 56(d) motion for additional time to respond to a motion for summary judgment. Accordingly,

IT IS ORDERED that the Stephensons' request is GRANTED. The Court will not set a case schedule at this time. Rather, the Court will grant a period of 90 days from the date of this order, to and including August 16, 2017, for the Stephensons to conduct discovery limited to the issues raised in Allstate's Motion for Summary Judgment (Doc. 31.) and to respond to that motion. The Stephensons shall file their response to Allstate's motion on or before August 16, 2017. The deadlines for any further related briefing, including any reply brief from Allstate, will be determined from the date of the Stephensons' response according to all applicable Federal Rules of Civil Procedure and District of Montana Local Rules.

DATED this 18th day of May, 2017.



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TIMOTHY J. CAVAN  
United States Magistrate Judge