

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ROBERT E. HUNT,)	4:11CV3086
)	
Plaintiff,)	
)	MEMORANDUM
v.)	AND ORDER
)	
ROBERT HOUSTON, et al.,)	
)	
Defendants.)	

This matter is before the court on Plaintiff’s Motion to Compel, filed on March 6, 2012. (Filing No. [36](#).) As set forth in the Order Setting Schedule for Progression of Case (the “Progression Order”), the deadline for filing a motion to compel was January 12, 2012. (Filing No. [27](#).) Defendants have filed their Motion for Summary Judgment (filing no. [28](#)) and Plaintiff filed his Response to that Motion. (Filing No. [31](#).) Although Plaintiff claims that he was unaware of the Progression Order deadlines (filing no. [38](#)), he does not assert that the requested discovery is necessary for him to fully respond to the pending Motion for Summary Judgment. (Filing No. [36](#).) Indeed, Plaintiff has already done so.

In the event that the court denies the Motion for Summary Judgment, or otherwise deems the requested discovery necessary, Plaintiff may renew his Motion to Compel. However, at this stage of the proceedings and on the record currently before the court, the Motion to Compel is denied.

IT IS THEREFORE ORDERED that: Plaintiff’s Motion to Compel (filing no. [36](#)) is denied. Defendants’ Objection (filing no. [37](#)) is granted.

DATED this 2nd day of March, 2012.

BY THE COURT:

Richard G. Kopf

Senior United States District Judge

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