

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DOUGLAS LAMBERT, an individual,            )  
  )  
          Plaintiff,                                )  
  )  
vs.   )  
  )  
MAURICE W. COSTELLO, an individual,       )  
  )  
          Defendant.                             )

CASE NO. 4:18-CV-03038

**ORDER**

A hearing was held on September 21, 2018 regarding Plaintiff’s failure to fully comply with Defendant’s written discovery. Specifically, Maurice Costello (“Defendant”) requests an Order compelling Douglas Lambert (“Plaintiff”), to provide amended and/or supplemental verified answers to Interrogatory Nos. 1, 2, 4, 5, 12, 20, 25, and 26 as well as responses to Request for Production of Documents Nos. 3, 11, 17, and 19.

Plaintiff’s unverified Answers to Interrogatories and Responses to Request for Production of Documents, which were belatedly received by Costello on August 8, 2018, are insufficient under the Federal Rules of Civil Procedure. Despite Defendant’s good faith efforts to resolve this discovery dispute without court intervention, Plaintiff has failed to fully comply with Defendant’s valid discovery requests.

Accordingly,

IT IS ORDERED:

- 1) On or before October 1, 2018, Plaintiff, Douglas Lambert, shall provide amended and/or supplemental verified Answers to Interrogatory Nos. 1, 2, 4, 5, 12, 20, 25, and 26 as well as Responses to Request for Production of Documents Nos. 3, 11, 17, and 19.

- 2) Plaintiff is hereby notified that the court will impose sanctions against Plaintiff and in favor of Defendant if Plaintiff fails to fully and timely comply with this order.
- 3) Defense counsel shall promptly advise the court if Plaintiff fails to timely and fully comply with this order.

September 22, 2018.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge