

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 V.)
)
 TIMOTHY T. BEZY PHOTOGRAPHY, INC.,)
 OLIVIA M. CUBEYRO,)
 JOSEPH ANDERSON,)
 WELLS FARGO BANK, N.A.,)
 FIRST SECURITY AGENCY, INC.,)
 as Agent for Equifunding, Inc.,)
)
 AND)
)
 RICH JAMES,)
 as Sarpy County Treasurer, Nebraska,)
)
 Defendants.)

8:11CV348

ORDER

This matter is before the court on the plaintiff’s Opposed Motion to Extend Discovery Deadline ([Filing No. 46](#)). The plaintiff seeks to extend the discovery deadline until September 30, 2012, due to the need for additional discovery to resolve a dispute between the parties about the division of property proceeds. In the motion, the plaintiff notes Rich James, as Sarpy County Treasurer, Nebraska, and First Security Agency, Inc. consent to the extension. In the motion, the plaintiff also notes Olivia M. Cubeyro and Timothy T. Bezy Photography, Inc. would oppose the relief sought. Ms. Cubeyro filed an Objection ([Filing No. 53](#)) to the extension. Timothy T. Bezy Photography, Inc. did not file any opposition to the motion.

The court finds good cause exists to extend the discovery deadline until the next business day after the requested date. Ms. Cubeyro argues no extension of time is necessary because the parties’ discovery dispute may be resolved by recalculating figures present in existing discovery. See [Filing No. 53](#). However, the trial has not yet been set in this case and the planning conference was recently continued. Therefore the discovery extension will not cause delay in resolution of the case. Moreover, Ms. Cubeyro fails to

allege she will suffer any prejudice by the brief extension of time. The court will review the scheduling of all deadlines during the telephone conference set for September 5, 2012. Accordingly,

IT IS ORDERED:

1. The plaintiff's Opposed Motion to Extend Discovery Deadline ([Filing No. 46](#)) is granted.

2. Olivia M. Cubeyro's Objection ([Filing No. 53](#)) is overruled.

3. The parties shall have until **October 1, 2012**, to complete discovery.

DATED this 8th day of August, 2012.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge