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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

REGINALD C. HOWARD,

Plaintiff,

vs.

HOWARD SKOLNIK, *et. al.*,

Defendants.

Case No. 2:08-cv-00728-RCJ-GWF

ORDER

Motion to Compel (#78)

This matter is before the Court on Plaintiff’s “Second Request Ordering Compelling Discovery” (#78), filed September 27, 2010 and Defendants’ Response in Opposition to Plaintiff’s “Second Request Ordering Compelling Discovery” (#83), filed October 14, 2010.

On August 30, 2010, the Court ordered Defendants to respond to Plaintiff’s interrogatories and requests for production on or before September 21, 2010. Plaintiff states that he has still not received these discovery responses and asks this Court to again order Defendants to respond to his discovery requests. (#78). Plaintiff’s motion is premature as, on September 22, 2010, the Court granted Defendants an extension of time to respond to the discovery requests. (#77). The responses are currently due on or before October 22, 2010. (*Id.*) Accordingly,

IT IS HEREBY ORDERED that Plaintiff’s “Second Request Ordering Compelling Discovery” (#78) is **denied** without prejudice as premature.

DATED this 18th day of October, 2010.

GEORGE FOLEY, JR.
UNITED STATES MAGISTRATE JUDGE