

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

RICHARD STORLIE,  
  
Plaintiff,  
  
vs.  
  
STATE FARM MUTUAL AUTOMOBILE  
INSURANCE COMPANY,  
  
Defendant.

Case No. 2:09-cv-02205-GMN-PAL

**ORDER**

(Mot Enlarge Time - Dkt. #38)

The court conducted a hearing on Plaintiff’s Motion to Enlarge Time to File Dispositive Motions and Continue Trial Date (Dkt. #38) on October 12, 2010. Alexander LeVeque appeared on behalf of the Plaintiff, and Drew Cass appeared on behalf of the Defendant. The court has considered the motion, Defendant’s response (Dkt. #56), Plaintiff’s reply (Dkt. #57), and the arguments of counsel at the hearing.

Plaintiff has requested an enlargement of time to file dispositive motions and a continuance of the trial date on the grounds that, during the deposition of Defendant’s claims representatives, counsel for Defendant instructed the deponents not to answer certain questions, and asserted privileges. Plaintiff filed a Motion to Compel (Dkt. #58) October 11, 2010, challenging the propriety of the instructions not to answer. If the court grants the Motion to Compel, counsel for Plaintiff will need to complete the deposition of these two witnesses. If this is ordered the additional testimony adduced may give the Plaintiff support for a dispositive motion.

The court directed an expedited briefing schedule on Plaintiff’s Motion to Compel (Dkt. #58) and will set the matter for hearing November 2, 2010.

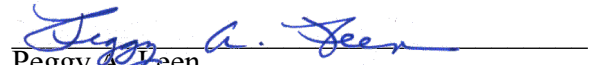
**IT IS ORDERED** that:

1. Plaintiff’s Motion to Enlarge Time (Dkt. #38) is **DENIED without prejudice.**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

2. Defendant shall have until October 25, 2010 to file a response to Plaintiff's Motion to Compel. Plaintiff shall have until November 1, 2010 by 12:00 p.m. to file a reply. A hearing on the Motion to Compel is set for **November 2, 2010 at 10:00 a.m.**
3. After a decision of the Motion to Compel on the merits, the court will address any request by the Plaintiff to enlarge time to file dispositive motions, and/or continue the trial date.

Dated this 22<sup>nd</sup> day of October, 2010.

  
Peggy A. Leen  
United States Magistrate Judge