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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MINE O’MINE, INC.,

Plaintiff,

vs.

MICHAEL CALMESE, *et al.*,

Defendants.

Case No. 2:10-cv-00043-KJD-PAL

**ORDER**

(Mot. for 7-day Extension - Dkt. #26)  
(Mot. to Compel - Dkt. #27)

The court conducted a hearing on Plaintiff’s Motion for 7-Day Extension of Time to Serve Objections and Responses to Defendants’ Discovery Requests (Dkt. #26), and Defendant Calmese’s Motion to Compel (Dkt. #27) on August 17, 2010. Michael McCue and Jonathan Fountain appeared telephonically behalf of the Plaintiff and Michael Calmese, who is appearing in this matter *pro se* appeared telephonically. The court has considered the motions, Defendant’s memorandum in response (Dkt. #28), and Defendant’s sealed exhibits (Dkt. #31).

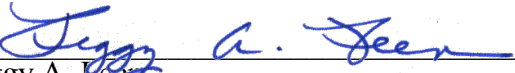
Having reviewed and considered the moving and responsive papers and the arguments at the hearing,

**IT IS ORDERED** that:

1. Plaintiff’s Motion for a 7-Day Extension is **GRANTED** (Dkt. #26) to the extent that Plaintiff shall serve responses to Defendant Calmese’s Request for Admissions, Requests for Production, and Answers to Interrogatories served June 21, 2010 and received June 28, 2010, no later than August 24, 2010.
2. Plaintiff shall have until August 24, 2010 in which to serve Calmese with a privileged document log which fully complies with the requirements of Rule 26 (b)(5) with respect to any documents withheld on the basis of privilege.
3. Defendant Calmese’s Motion to Compel (Dkt. #27) is **DENIED** without prejudice.

- 1 4. The court will set a telephonic status and discovery dispute resolution conference on  
2 September 13, 2010 at 1:45 p.m. to resolve any discovery disputes concerning the  
3 adequacy of Plaintiff's responses. Each party requesting to appear telephonically is  
4 instructed to call Jeff Miller, Courtroom Deputy, at (702) 464-5420 **before 4:00 p.m.,**  
5 **September 10, 2010** to indicate the name of the party participating and a telephone  
6 number where that party may be reached. The courtroom deputy will initiate the call.
- 7 5. The parties shall meet and confer in a good-faith effort to resolve any discovery disputes  
8 without court intervention in strict compliance with the requirements of *Nevada Power*  
9 *v. Monsanto*, 151 F.R.D. 118, 120 (D.Nev. 1993), and *Shufflemaster, Inc. v. Progressive*  
10 *Gaming*, 170 F.R.D. 166, 170 (D. Nev. 1996).
- 11 6. The parties shall submit a Joint Status Report no later than 4:00 p.m. September 9, 2010  
12 which addresses whether the parties have any outstanding discovery disputes. In the  
13 even the parties have discovery disputes, the Joint Status Report shall describe the  
14 dispute(s), their respective position regarding any dispute(s), and the efforts made to  
15 resolve the dispute(s) without court intervention. The Joint Status Report shall comply  
16 with the requirement of Local Rule 26-7(a) with respect to setting forth or attaching the  
17 full text of the discovery originally sought and the response thereto, if any. For purposes  
18 of complying with this rule, it shall be sufficient to attach a copy of the Plaintiff's  
19 responses to Defendant's request, which are required to recite the full text of the  
20 discovery sought. The Joint Status Report should state the parties' respective positions  
21 with sufficient specificity to enable the court to resolve any dispute without the necessity  
22 for additional or formal briefing.

23 Dated this 17<sup>th</sup> day of August, 2010.

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Peggy A. Leger  
United States Magistrate Judge