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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

GABRIEL HERNANDEZ, *et al.*,

Plaintiffs,

vs.

CREATIVE CONCEPTS, *et al.*,

Defendants.

2:10-cv-02132-PMP -VCF

ORDER

**(Motion to Compel Discovery to All *Pro Se*
Defendants #207)**

14 Before the court is plaintiffs' Motion to Compel Directed to All *Pro Se* Defendants. (#207).
15 Defendants did not file an Opposition.

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Motion To Compel

Plaintiffs assert in their motion to compel that they sent written discovery to each of the *pro se* defendants (#207 Exhibit A), but that none of the *pro se* defendants responded. (#207). Plaintiffs also assert that defendant John Speidel refuses to be deposed in this action, and that he "halted" the deposition in California on the first day due to a medical condition, and "halted" the deposition on the second day after only a small number of questions. *Id.* Plaintiffs state that Speidel should be compelled to continue his deposition. *Id.* The plaintiffs also contend that Speidel is in control of approximately 15-20 boxes of original documents relating to the NPL Sponsorship Program, and that he refuses to turn over the originals for safe keeping to *any* counsel in this matter. *Id.* The plaintiffs state that they have good cause to believe that the documents will be lost, destroyed, or made otherwise unavailable based on the history of Speidel's actions. *Id.* No opposition to the motion was filed.

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2 Plaintiffs ask this court to enter an order (1) compelling the Defendants to respond to discovery
3 and provide complete answers to all outstanding discovery without objection, (2) requiring Speidel to
4 appear for his deposition, and (3) compelling Speidel to produce all boxes containing original
5 documents so that the materials can be accessed by counsel in this case and safeguarded for trial. *Id.*
6 As the *pro se* defendants did not file an opposition to the motion (#207) and did not dispute any of the
7 arguments made by plaintiffs, the court finds that granting the motion is appropriate. *See* Local Rule 7-
8 2(d)(“[t]he failure of an opposing party to file points and authorities in response to any motion shall
9 constitute a consent to the granting of the motion.”).

10 Accordingly and for good cause shown,

11 IT IS ORDERED that plaintiffs’ Motion to Compel Directed to All *Pro Se* Defendants (#207) is
12 GRANTED.

13 IT IS FURTHER ORDERED that:

14 (1) on or before May 3, 2013, *pro se* defendants **must** respond to discovery and provide
15 complete answers to all outstanding discovery without objection,

16 (2) plaintiffs may notice John Speidel’s deposition for a time on or before May 10, 2013, and
17 Speidel **must** appear for his deposition,

18 (3) on or before May 3, 2013, John Speidel **must** produce **all** boxes of original documents to
19 plaintiffs’ counsel,

20 (4) plaintiffs’ counsel **must** meet with defense counsel to agree upon the appropriate manner in
21 which to store the boxes until trial, and

22 (5) failure to comply with this order **will** result in the imposition of sanctions.

23 DATED this 17th day of April, 2013.

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25 CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE