UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ROBERT C. BONNET,

Plaintiff,

vs.

HARVEST (US) HOLDINGS, INC., *et al.*,

Defendants.

Case No. 2:11-cv-00315-RLH-GWF

ORDER

Motion to Compel (#1)

This matter is before the Court on Defendants Harvest (US) Holdings, Inc. and Elton Blackhair's Motion to Compel (#1), filed February 25, 2011.

Defendants request an order compelling Trek Petroleum Company ("Trek") to respond to the subpoena for the production of documents that Trek was served with on December 13, 2010. (#1 at 2-3). The subpoena seeks documents from Trek concerning commercial operations related to oil and gas exploration on tribal lands that Defendants contend are relevant to an action currently proceeding in the U.S. District Court for the District of Utah (2:10-cv-0217). (#1 at 2-3).

To date, no party has responded to this motion and the time for opposition has now passed. LR 7-2(d) states in pertinent part, that "[t]he failure of an opposing party to file points and authorities in response to any motion shall constitute a consent to the granting of the motion." To date, Trek has not filed a reponse to the motion to compel.

Upon review and consideration of Defendants' motion to compel and Trek's failure to file any response to the motion,

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IT IS HEREBY ORDERED that Defendants Harvest (US) Holdings, Inc. and Elton Blackhair's Motion to Compel (#1) is **granted** as follows:

1. Trek Petroleum Company shall substantively respond to the subpoena and produce all responsive documents without objection by **April 4, 2011**.

2. Defendants' request for sanctions is **denied**.

DATED this 24th day of March, 2011.

GEORGE FOLEY, JR.
United States Magistrate Judge