

1 Furthermore, Rule 45(d)(2)(B)(ii) permits the serving party to move the Court for an order compelling
2 production where compliance is required.

3 Here, Plaintiff served Silverstone with a subpoena duces tecum on February 10, 2014, therein
4 requesting the production of certain documents pertinent to the pending litigation. Silverstone neither
5 objected to nor produced the documents requested. Despite numerous telephone calls and written
6 correspondence from Plaintiff's counsel, Silverstone continues to flout its duty to respond.
7 Furthermore, after receiving a notice of hearing on Plaintiff's pending motion to compel, neither
8 opposing counsel nor Silverstone filed an opposition in the matter. Local Rule 7-2(d) states that the
9 failure of an opposing party to file points and authorities in response to any motion shall constitute a
10 consent to the granting of the motion. The Court therefore finds good cause to grant Plaintiff's motion
11 to compel. Accordingly,

12 **IT IS HEREBY ORDERED** that Plaintiff's Motion to Compel Silverstone Ranch Community
13 Association's Response to Plaintiff's Subpoena Duces Tecum (#21) is **granted**. Silverstone Ranch
14 Community Association shall have until **June 9, 2014** to respond to Plaintiff's subpoena duces tecum.

15 **IT IS FURTHER ORDERED** that the Clerk of the Court mail a copy of this order to
16 Silverstone Ranch Community Association at the following address:

17
18 Silverstone Ranch Community Association
19 c/o First Service Residential Nevada, LLC
20 8290 Arville Street
Las Vegas, Nevada 89139

21 **IT IS FURTHER ORDERED** that the motion hearing set for **Monday, May 12, 2014** on
22 Plaintiff's Motion to Compel (#21) is **vacated**.

23 DATED this 8th day of May, 2014.

24
25 
26 GEORGE FOLEY, JR.
27 United States Magistrate Judge
28