UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

John Souza,

Petitioner,

v.

Elevate, Inc.,

Respondent.

Case No. 2:17-cv-01924-JAD-DJA

Order

Before the Court are non-party Stephanie Thurston and Wright Thurston's motions to extend time to respond to a deposition subpoena. (ECF Nos. 79 and 80). However, as John Souza—the subpoenaing party—points out in response, the subpoenas require the Thurstons to appear for their deposition in Salt Lake City, Utah. (ECF No. 81). Under FRCP 45(d)(3)(A), the court for the district where compliance is required is responsible for quashing or modifying a subpoena. "Under the current version of the Rule, when a motion to quash a subpoena is filed in a court other than the court where compliance is required, that court lacks jurisdiction to resolve the motion." *Agincourt Gaming, LLC v. Zynga, Inc.*, No. 2:14-cv-00708-RFB-NJK, 2014 WL 4079555, at *3 (D. Nev. Aug. 15, 2014). Here, the court where compliance is required is the District of Utah. This Court thus lacks jurisdiction to resolve the Thurstons' motions and denies the motions without prejudice.

IT IS THEREFORE ORDERED that the motions to extend time (ECF Nos. 79, 80) are **denied without prejudice.**

DATED: November 6, 2023

DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE