



1 served copies of its motions to compel on Nevada Spine Clinic and Smoke Ranch Surgery Center (ECF  
2 No. 37), but the entities have not filed any response to the motions.

3 “Parties may obtain discovery regarding any nonprivileged matter that is relevant to any party’s  
4 claim or defense and proportional to the needs of the case.” Fed. R. Civ. P. 26(b)(1). When an individual  
5 objects to discovery, a party may move for an order compelling compliance. Fed. R. Civ. P. 45(d)(2)(B)(i).  
6 Under LCR 47-3, “[t]he failure of an opposing party to include points and authorities in response to any  
7 motion constitutes a consent to granting the motion.”

8 The discovery Walmart seeks is relevant and proportional to the needs of the case. Information  
9 regarding the reasonableness of costs charged by Nevada Spine Clinic and Smoke Ranch Surgery Center  
10 for Plaintiff’s treatment is relevant to Walmart’s defense. In addition, Nevada Spine Clinic and Smoke  
11 Ranch Surgery Center have failed to oppose Walmart’s motions to compel, thereby consenting to the  
12 Court’s granting of the motions.

13 Accordingly, and for good cause shown,

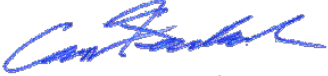
14 IT IS HEREBY ORDERED that Walmart’s Motions to Compel the Depositions of the Nevada  
15 Spine Clinic (ECF No. 35) and the Smoke Ranch Surgery Center (ECF No. 36) are GRANTED.

16 IT IS FURTHER ORDERED that Nevada Spine Clinic and Smoke Ranch Surgery Center have  
17 until May 3, 2018 to designate a person to appear for a deposition.

18 IT IS FURTHER ORDERED that Nevada Spine Clinic and Smoke Ranch Surgery Center have  
19 until May 3, 2018 to produce documents or otherwise respond to Walmart’s document requests.

20 IT IS FURTHER ORDERED that Walmart must serve a copy of this order on Nevada Spine Clinic  
21 and Smoke Ranch Surgery Center by April 19, 2018.

22 DATED this 16th day of April, 2018.

23 

24 CAM FERENBACH  
25 UNITED STATES MAGISTRATE JUDGE