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1	UNITED STATES DISTRICT COURT	
2	DISTRICT OF NEVADA	
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4	MICHAEL RENO, et al.,	Case No. 2:18-cv-00840-APG-BNW
5	Plaintiffs,	ORDER
6	V.	
7	WESTERN CAB COMPANY, et al.,	
8	Defendants.	
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10	Before the Court is Plaintiffs' Motion for an Order to Compel two depositions. ECF No.	
11	363. The response to this motion was due October 26, 2023. Id. Plaintiffs filed a notice of non-	
12	opposition on October 30, 2023. ECF No. 364. Defendant filed a response the next day. ECF	
13	No. 365. This Court issued an Order to Show Cause for Defendant to explain why the untimely	
14	response should be considered. ECF No. 366. The response was due on November 15, 2023. Id.	
15	Defendant did not respond to the Order. Lastly, Plaintiff filed a Reply in support of his motion.	
16	ECF No. 367.	
17	Plaintiff's Motion requests the following: (a) another order compelling the deposition of	
18	Defendant's 30(b)(6) witness and Mr. Awad, (b) an extension of discovery and remaining	
19	deadlines, and (c) fees for having to bring the instant motion.	
20	At the outset, this Court notes that since Defendant's response was untimely filed and	
21	since Defendant did not comply with this Court's Order to Show Cause why the response should	
22	not be stricken, this Court strikes Defendant's response under LR IC 7-1.	
23	I. DISCUSSION	
24	A. Motion to Extend Deadlines	
25	This Court finds good cause to extend deadlines given the fact that these two depositions	
26	have not yet taken place. The discovery deadline will be February 12, 2024, and the deadline is	
27	extended only for the purpose of completing these two depositions. The deadline for dispositive	
28	motions will be March 13, 2024. Trial briefs will be due April 12, 2023, or 30 days after an order	

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on any dispositive motions that may be filed.

2 B. Motions to Compel Depositions of Mr. Awad & 30(b)(6) Witness This Court has already granted this request. ECF No. 342, 362. As a result, this part of 3 the motion is denied as moot. 4 5 Defendant is ordered to submit six (6) separate proposed dates for the deposition of Mr. Awad and the deposition of Defendant's designated Rule 30(b)(6) witness between January 2, 6 7 2024, and February 9, 2024. One of those days must be a Monday. One of those days must be a 8 Friday. Each proposed date must take place during a different week. The proposed dates must be 9 communicated to Plaintiffs by December 6, 2023. 10 Plaintiffs are ordered to confirm one of those dates for each deposition no later than December 13, 2023. 11 12 In the event Defendant fails to provide such deposition dates, or in the event Plaintiffs fail 13 to confirm them, this Court will issue an Order to Show Cause why sanctions should not be imposed under LR IA 11-8 and/or Fed. R. Civ. P. 11(f) and/or Fed. R. Civ. P. 37(b)(2). 14 15 Lastly, the parties should take note that this Court is astounded by their well-established pattern of unprofessionalism toward each other and, should another motion be filed based on their 16 17 inability to communicate, this Court is prepared to issue an Order to Show Cause why they 18 should not be sanctioned accordingly. LR IA 11-8(d). 19 C. Fees 20 Plaintiffs seek fees under Fed. R. Civ. P. 37(a) and/or (b) and/or Fed. R. Civ. P. 16(f). 21 First, Plaintiffs filed a motion to compel under Fed. R. Civ. P. 37(a)-not a motion for failure to 22 comply with a court's order under Fed. R. Civ. P. 37(b) or 16(f). Thus, this Court will not impose fees under either of those rules. 23 24 Next, the motion under Fed. R. Civ. P. 37(a) was denied as moot. Thus, fees would be improper. 25 II. **CONCLUSION** 26 27 IT IS ORDERED that Plaintiffs' Motion to Compel at ECF No. 363 is DENIED as 2 28

1	moot. The parties are to provide their respective availability for the depositions consistent with	
2	this Order.	
3	IT IS FURTHER ORDERED that the request to extend deadlines is GRANTED	
4	consistent with this Order.	
5	IT IS FURTHER ORDERED that the request for fees is DENIED.	
6	IT IS FURTHER ORDERED that the Clerk is directed to STRIKE Defendant's	
7	response at ECF No. 365.	
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9	DATED this 30th day of November 2023.	
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11	BRENDA WEKSLER	
12	UNITED STATES MAGISTRATE JUDGE	
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