-VPC Frank L. Nesci v. Poag et al Doc. 27

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FRANK L. NESCI,	)	3:10-CV-0712-LRH (VPC)
	)	
Plaintiff,	)	**MINUTES OF THE COURT**
	)	
vs.	)	September 16, 2011
	)	
DON POAG, et al.,	)	
	)	
Defendants.	)	
	)	

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PETITIONER(S): NONE APPEARING

COUNSEL FOR RESPONDENT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is plaintiff's motion to compel (#23). Defendants have opposed the motion (#25), and plaintiff has replied (#26).

The scheduling order in this case was issued on April 4, 2011 (#13). Plaintiff delayed in serving his discovery requests until June 28, 2011, only seven days before the expiration of the discovery deadline. Plaintiff then sought an extension of time to complete discovery and that request was granted on August 23, 2011 (#22). Defendants state in their opposition to plaintiff's motion that they intend to answer the discovery requests on September 22, 2011, which is thirty days from the date of the court's order granting an extension of the discovery deadline (#25). Plaintiff replied that he does not consider the defendants' proposed response date of September 22nd to be timely (#26). Plaintiff is incorrect. Defendants were under no obligation to answer the discovery requests until the court issued its order extending discovery (#22). Therefore,

IT IS ORDERED that plaintiff's motion to compel (#23) is **DENIED**.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/
Deputy Clerk

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