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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JENNIFER JO KILE,)	3:13-cv-00142-HDM-VPC
)	
Plaintiff,)	
)	ORDER
vs.)	
)	
WAL-MART STORES, INC,; JOHN DOES)	
I-V, inclusive; and BLACK AND)	
WHITE COMPANIES,)	
)	
Defendants.)	
)	

Before the court is plaintiff Kile's motion for a spoliation instruction at trial (#35). The defendant has opposed (#38) and the plaintiff has replied (#40).

Discovery in this case is not yet complete, and the court believes the request for a spoliation instruction is premature at this time.

Accordingly, the plaintiff's (#35) motion for a spoliation instruction is hereby **DENIED WITHOUT PREJUDICE**, to be renewed at trial should the plaintiff so move.

IT IS SO ORDERED.

DATED: This 30th day of June, 2014.

Howard D McKibbin
UNITED STATES DISTRICT JUDGE