

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RENARD T. POLK,)	3:16-CV-0652-MMD-CBC
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
)	
vs.)	August 19, 2019
)	
TARA CARPENTER, et al.,)	
)	
Defendants.)	
_____)	

PRESENT: THE HONORABLE CARLA BALDWIN CARRY, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is plaintiff's motion to compel discovery, motion request for subpoenas, and motion for enlargement of time to amend pleadings and join additional parties (ECF Nos. 83, 84, 87). Defendants opposed the motions (ECF Nos. 86 & 90), and plaintiff replied (ECF No. 88). Also before the court is defendants' motion to extend time to file dispositive motions (ECF No. 87), which plaintiff did not oppose. The court will address each request in turn.

ECF Nos. 83/84 – Motion to Compel Discovery and Motion Request for Subpoenas Duces Tecum

On July 15, 2019, plaintiff filed a motion to compel discovery and a motion request for subpoenas duces tecum¹, arguing that defendants wrongfully withheld discovery responses. (ECF Nos. 83/84). Defendants oppose the motions, stating that plaintiff has failed to follow Local Rule 26-7(c), which requires that a party submitting a discovery motion make a good-faith effort to meet and confer with the opposing party before filing the motion. (ECF No. 86). Plaintiff's reply states that the defendants had the opportunity to meet and confer during the mediation process but failed to do so. (ECF No. 88). The court notes that the mediation conference was held on February 13, 2018. (See ECF No.

¹ ECF Nos. 83 and 84 are identical motions.

24). Because the plaintiff has not made a good-faith effort to meet and confer on this discovery issue, the motion to compel and the motion request for subpoenas duces tecum (ECF Nos. 83 & 84) are **DENIED**.

ECF No. 87 – Motion for Enlargement of Time to Amend Pleadings and Join Additional Parties

On July 1, 2019, the court granted in part, plaintiff's motion for an enlargement of time to amend pleadings and join additional parties. (See ECF No. 80). The deadline to amend pleadings and join additional parties was set for July 31, 2019. *Id.* In the order, the court noted that no further extensions of time as it relates to the scheduling order would be granted. *Id.* On July 31, 2019, plaintiff filed a second motion for enlargement of time to amend pleadings and join additional parties. (ECF No. 87). Plaintiff argues that defendants are withholding specific discovery and disclosure requests and plaintiff is unable to discover the names of the Doe Defendants. *Id.* Defendants opposed the motion arguing that no good cause existed for granting the motion as the court was clear that no further extension of time would be granted. (ECF No. 90). Additionally, defendants state that they have provided discovery to plaintiff and the defendants attach those discovery requests as evidence of their compliance. (See ECF Nos. 90-1, 90-2, 90-3).

The court finds that plaintiff has not shown that good cause exists to further extend the time for plaintiff to amend his pleadings. However, the court notes that if the true identity of any of the Doe Defendants comes to light during the remainder of discovery, plaintiff may move to substitute the true names of Doe Defendants at that time. Accordingly, plaintiff's motion for enlargement of time (ECF No. 87) is **DENIED**.

ECF No. 85 – Motion for Extension of Time to File Dispositive Motions

As noted above, the court was explicit that no further extensions of the scheduling order would be granted in this case. (See ECF No. 80.) Accordingly, defendant's motion for extension of time (ECF No. 85) is **DENIED**. Dispositive motions remain due by Monday, September 30, 2019.

IT IS SO ORDERED.

DEBRA K. KEMPI, CLERK

By: _____ /s/
Deputy Clerk