

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

PAUL LOUGH,

Plaintiff,

v.

No. 16-cv-0338 JCH/SMV

BNSF RAILWAY COMPANY,

Defendant.

**ORDER GRANTING DEFENDANTS' MOTION
TO EXTEND EXPERT DISCLOSURE DEADLINE**

THIS MATTER is before the Court on Defendant's Motion to Extend Defendant's Expert Disclosure Deadline [Doc. 68], filed on June 1, 2018. Plaintiff has not responded, and the time for doing so has passed. *See* D.N.M.LR-Civ. 7.4(a) ("A response must be served and filed within fourteen (14) calendar days after service of the motion."). Pursuant to Local Rule 7.1(b), "[t]he failure of a party to file and serve a response in opposition to a motion within the time prescribed for doing so constitutes consent to grant the motion." Accordingly, Plaintiff is deemed to have consented to the motion being granted.¹

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Defendant's Motion to Extend Defendant's Expert Disclosure Deadline [Doc. 68] is **GRANTED**. Defendant's expert disclosure deadline is extended to **July 1, 2018**.

IT IS SO ORDERED.



**STEPHAN M. VIDMAR
United States Magistrate Judge**

¹ Defendant indicates that Plaintiff's counsel did not respond to its request for concurrence. [Doc. 68] at 2.