

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

CAROLINA LOZANO VELA,

Plaintiff,

v.

Civ. No. 23-363 JCH/GBW

STERIGENICS U.S., LLC, *et al.*,

Defendants.

ORDER GRANTING DEFENDANT STERIGENICS' MOTION TO COMPEL

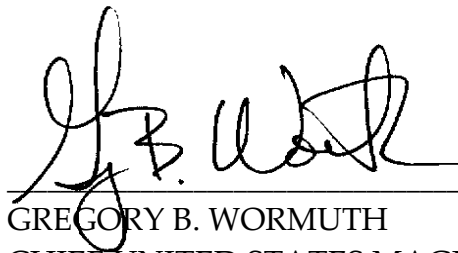
THIS MATTER comes before the Court on Defendant Sterigenics' Motion to Compel Plaintiff to Provide Complete Discovery Responses ("Motion"), filed on May 13, 2024. *Doc. 40*. Defendant Sterigenics moves the Court to compel Plaintiffs to provide complete discovery responses to Interrogatories 8, 13, and 23 and Requests for Production 1, 6, 8, 9, 16, and 17 from Defendant Sterigenics' First Set of Discovery Requests. *Id.* at 6. Plaintiff's response to the Motion was due on May 27, 2024, but none was filed. On May 30, 2024, Defendant Sterigenics filed a reply to the Motion in which it moved the Court to grant the Motion on the basis of Plaintiff's failure to respond as well as to award it the "attorneys' fees and costs incurred in connection with the Motion to Compel and this Reply." *Doc. 41* at 2.

Under the Local Rules, "[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.” D.N.M. LR-Civ 7.1(b). Given Plaintiff’s failure to respond to the Motion, the Court will GRANT it.

IT IS THEREFORE ORDERED that Plaintiff shall provide complete responses to Interrogatories 8, 13, and 23 and Requests for Production 1, 6, 8, 9, 16, and 17 from Defendant Sterigenics’ First Set of Discovery Requests. Plaintiff’s complete responses are due no later than **twenty-one (21) days** from the issuance of this Order.

IT IS FURTHER ORDERED that Plaintiff shall have **seven (7) days** from the issuance of this Order to respond to Defendant Sterigenics’ request for attorneys’ fees and costs. *See doc. 41* at 2.

A handwritten signature in black ink, appearing to read "G. B. Wormuth", is written over a horizontal line.

GREGORY B. WORMUTH
CHIEF UNITED STATES MAGISTRATE JUDGE