

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ OCT 21 2010 ★

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SERGEI CHEPILKO,

BROOKLYN OFFICE

Plaintiff,

**ORDER**  
**06 CV 5491 (ARR) (LB)**

-against-

CITY OF NEW YORK, et al.,

Defendants.  
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**BLOOM, United States Magistrate Judge:**


On the final deadline for the parties to complete all discovery in this case, plaintiff moves to extend the deadline for discovery and to compel defendants to produce the names of the police officers who participated in his arrest, provide sworn answers to interrogatories, and appear for a deposition. See Docket Entry 106. Plaintiff's motions to compel and to further extend discovery are denied.

Rule 37 of the Federal Rules of Civil Procedure requires that a party moving to compel discovery "must include a certification that the movant has in good faith conferred or attempted to confer with the person or party failing to make disclosure or discovery in an effort to obtain it without court action." Fed. R. Civ. P. 37(a)(1). Plaintiff fails to show that he made any attempts to resolve any discovery dispute with defendants' counsel before making the instant motion. Moreover, plaintiff's motion fails to specify who did not appear at the September 30, 2010 deposition and which answers to interrogatories were unsworn.

The original deadline for the parties to complete all discovery in this case was August 31, 2007. See Docket Entry 22. The Court extended the discovery deadline four times. See Docket Entries 25, 27, 38, and 40. The Court then stayed discovery for an extended period as the District Attorney's Office was investigating the events underlying plaintiff's complaint. After the District Attorney's Office completed its investigation without bringing charges, the Court lifted the stay. See Docket Entry 95.

By Order dated July 14, 2010, the Court set October 15, 2010 as the final deadline for the parties to complete all discovery and warned plaintiff that the Court would not consider any further extension request in this case. See Docket Entry 97. In the instant motion to extend discovery, plaintiff fails to show any cause, no less good cause, for extending the final deadline imposed by the Court. Plaintiff has had more than sufficient time in this case to conduct discovery. Plaintiff's instant motion is denied. If defendants intend to move for summary judgment, counsel shall write to Judge Ross by October 29, 2010 to request a pre-motion conference.

SO ORDERED.

  
LOIS BLOOM  
United States Magistrate Judge

Dated: October 20, 2010  
Brooklyn, New York