

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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RUTH PINTO,

Plaintiff,

-against-

MASSAPEQUA PUBLIC SCHOOLS,

Defendant.

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ORDER

CV 09-5308 (LDW)(ARL)

LINDSAY, Magistrate Judge:

Before the court is the defendant's application seeking to compel the plaintiff to respond to the defendant's First Set of Interrogatories and Request for the Production of Documents served on counsel for the plaintiff on April 23, 2010. To date, the plaintiff has not responded to the discovery requests nor has she submitted opposition to this motion. Accordingly, the defendant's motion is granted. By October 29, 2010, the plaintiff shall respond to all outstanding discovery. Failure to comply with this order may result in the imposition of sanctions including a recommendation that the case be dismissed for failure to prosecute.

Although discovery in this matter has been delayed by the plaintiff's conduct, the court notes that the defendant waited until three weeks before the discovery deadlines to file the instant motion. However, in order to permit discovery to be completed, the deadline for completion of all discovery will be extended to November 29, 2010. Any party planning on making a dispositive motion shall take the first step in the motion process by December 13, 2010. The final conference scheduled for November 24, 2010 is adjourned to January 5, 2010 at 2:00 p.m. The parties are directed to electronically file the proposed joint pretrial order prior to the final conference.

Dated: Central Islip, New York
October 20, 2010

SO ORDERED:

/s/
ARLENE ROSARIO LINDSAY
United States Magistrate Judge