

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:11-CV-238-D

JENNIFER YERGER, )  
)  
Plaintiff, )  
)  
v. )  
)  
LIBERTY MUTUAL GROUP, INC., )  
)  
Defendant. )

**ORDER**

On June 8, 2012, the court referred plaintiff's motions to compel discovery [D.E. 50, 52] to Magistrate Judge Gates for disposition [D.E. 66]. On September 24, 2012, Magistrate Judge Gates issued an order granting in part, denying in part as moot, and denying in part on the merits plaintiff's motion to compel interrogatory answers and plaintiff's motion to compel production of documents, and ordering each party bear its own expenses incurred in connection with the motions [D.E. 81]. On October 4, 2012, plaintiff filed objections [D.E. 83] to the order. On October 18, 2012, defendant filed a response [D.E. 86].

The court has reviewed the order, the record, plaintiff's objections, and defendant's response de novo. See Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005). The arguments merit no further discussion beyond Magistrate Judge Gates's analysis in the order. The court adopts the order [D.E. 81]. Plaintiff's objections [D.E. 83] to the order are overruled.

The court also has considered the proposed modifications to the scheduling order [D.E. 91, 92]. The court modifies paragraphs three and four of the scheduling order entered on November 4, 2011 [D.E. 34] as follows:

- 3. All discovery shall be completed by February 15, 2013. Defendant shall produce Ronda Rose to be deposed by plaintiff in or around Gwinnett

County, Georgia, where Ms. Rose is employed by defendant, on or before December 31, 2012, and shall produce Anita Pierce to be deposed by plaintiff in or around the county in which Ms. Pierce is employed by defendant. Plaintiff shall produce plaintiff to be deposed by defendant in or around Raleigh, North Carolina, on or before December 31, 2012.

4. All potentially dispositive motions shall be filed by March 15, 2013. The court will set the trial date by separate order.

Except as modified herein, the scheduling order entered on November 4, 2011, including all deadlines and limitations contained therein, remains in place.

In sum, the court OVERRULES plaintiff's objections [D.E. 83], ADOPTS the order [D.E. 81], and MODIFIES the scheduling order as set forth herein.

SO ORDERED. This 29 day of November 2012.

  
JAMES C. DEVER III  
Chief United States District Judge