

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
NO. 5:12-CV-00754-BO**

MUMMIES OF THE WORLD TOURING )  
COMPANY, LLC, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
DESIGN AND PRODUCTION, INC., et al., )  
 )  
Defendants. )  
\_\_\_\_\_ )

**ORDER**

This cause comes before the Court upon Plaintiff’s motion for discovery (DE-31), referred to the undersigned. Defendants oppose the motion (DE-32) on the grounds that the Court has not yet issued an order for a discovery plan, the parties have not yet conferred as required by Rule 26(f), no scheduling order is in place, and there is no reason to expedite discovery.

Federal Rule 26(d)(1) of Civil Procedure states, “A party may not seek discovery from any source before the parties have conferred as required by Rule 26(f), except . . . when authorized by these rules, by stipulation, or by court order.” As discovery would be premature at this time, the motion for discovery (DE-31) is DENIED.

DONE AND ORDERED in Chambers at Raleigh, North Carolina this 8<sup>th</sup> day of April, 2013.

  
\_\_\_\_\_  
WILLIAM A. WEBB  
UNITED STATES MAGISTRATE JUDGE