

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:11cv189**

SYNOVUS BANK,)
)
 Plaintiff,)
)
 v.)
)
 ALEXANDER SCHAUR,)
)
 Defendant.)
 _____)

ORDER

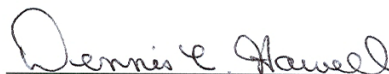
Defendant moves to dismiss this action on the basis that the Court lacks personal jurisdiction over him. In support of his motion, Defendant has submitted an affidavit, as well as several other exhibits. Plaintiff requests that the Court allow limited jurisdictional discovery in this case and extend the time period for responding to the Motion to Dismiss until after the completion of this discovery.

District courts may exercise their discretion and allow a plaintiff to conduct jurisdictional discovery, provided that the Plaintiff is not conducting a “fishing expedition in the hopes of discovering some basis of jurisdiction” Base Metal Trading, Ltd. v. OJSC “Novokuznetsky Aluminum Factory, 283 F.3d 208, 216 n.3 (4th Cir. 2002); see also Szulik v. TAG Virgin Islands, Inc., 783 F. Supp. 2d 792 (E.D.N.C. 2011). Upon a review of Defendant’s Motion to Dismiss, the Court finds that limited jurisdictional discovery is warranted in this case. Accordingly, the Court

GRANTS in part the Motion for Discovery [# 8] and **GRANTS in part** the Motion for Extension of Time [# 10].

The Court will allow Plaintiff forty-five (45) days to conduct jurisdictional discovery. Plaintiff may take the deposition of Defendant Alexander Shaur. The deposition shall not exceed 2 hours and is limited to the issue of whether the Court has personal jurisdiction over Defendant Shaur. Absent a specific showing that other depositions are necessary, Plaintiff is limited to taking the deposition of Defendant Shaur during the jurisdictional discovery period. The Court will also allow Plaintiff leave to serve ten (10) interrogatories on Defendant Shaur. Defendant Shaur shall respond to the interrogatories within fourteen (14) days of service. The Court, however, will not allow any requests for production of documents. Finally, Plaintiff shall have ten (10) days from the close of jurisdictional discovery to file a response to the Motion to Dismiss.

Signed: October 13, 2011



Dennis L. Howell
United States Magistrate Judge

