

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

_____	)	
ATLANTIC SKANSKA, INC.,	)	
	)	
Plaintiff,	)	
v.	)	Case No. 3:07-CV-266-FDW-CH
	)	
CITY OF CHARLOTTE, NORTH CAROLINA	)	
and CH2M HILL, INC.,	)	
	)	
Defendants.	)	
_____	)	
	)	
ATLANTIC SKANSKA, INC.,	)	
	)	
Third Party Plaintiff,	)	
v.	)	
	)	
ENVIRONMENTAL DYNAMICS, INC.	)	
and AUGUSTA FIBERGLASS	)	
COATINGS, INC.,	)	
	)	
Third Party Defendants.	)	
_____	)	

**CONSENT ORDER**

THIS MATTER is before the Court on Third-Party Defendant Augusta Fiberglass Coating, Inc.’s (“Augusta Fiberglass”) Motion to Compel Discovery from Plaintiff Atlantic Skanska, Inc. (“Atlantic Skanska”). Pursuant to this Court’s January 15, 2008 revised Case Management Order, discovery was to be completed by July 21, 2008. On May 20, 2008, Augusta Fiberglass propounded its First Request for Production of Documents (“Discovery

Requests”) to Atlantic Skanska. Pursuant to Rules 33(b)(3) and 34(b) of the Federal Rules of Civil Procedure, Plaintiff was to respond to the Discovery Requests by June 19, 2008.

Prior to the deadline for responding to the Discovery Requests, counsel for Augusta Fiberglass and Atlantic Skanska agreed to an extension of the deadline to respond until July 7, 2008. Atlantic Skanska did not respond by that date, as the parties filed a stipulated motion for modification to the Court’s revised case management order, which motion was denied. Augusta Fiberglass filed its Motion to Compel Discovery on August 20, 2008. Atlantic Skanska has now agreed to serve its responses by September 19, 2008, and has agreed to the entry of this Consent Order.

It is hereby ORDERED that Plaintiff Atlantic Skanska will respond to Third-Party Defendant Augusta Fiberglass’ Discovery Requests by September 19, 2008. If Plaintiff fails to timely respond by that date, then Augusta Fiberglass may apply to the Court for sanctions in accordance with the Federal Rules of Civil Procedure.

**SO ORDERED.**

Signed: September 8, 2008



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Carl Horn, III  
United States Magistrate Judge



**CONSENTED TO BY:**

s/Robert M. Bisanar

Robert M. Bisanar

NC Bar No. 6512

Attorney for Third Party Defendant

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