

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:18-CV-00194-DSC**

**PRIMERICA LIFE INSURANCE
COMPANY,**

Plaintiff,

v.

**ELAINE B. CAIN AND WANDA MARIE
CAIN,**

Defendants.

ORDER

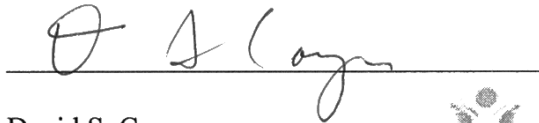
THIS MATTER is before the Court on the “Motion for Summary Judgment by Wanda Marie Cain, Administratrix of Estate of Jervais Wan-Ya Cain,” Doc. 19, filed October 29, 2018 and the parties’ associated briefs and exhibits, Docs. 22 and 23, and “Defendant Wanda Cain’s Request for Oral Argument,” Doc. 24, filed on January 7, 2019. The parties have consented to Magistrate Judge jurisdiction under 28 U.S.C. § 636(c), and these Motions are now ripe for the Court’s consideration.

The Pretrial Order and Case Management Plan set deadlines of January 2, 2019 for the completion of discovery and February 4, 2019 for dispositive motions. Defendant Elaine B. Cain’s Response, Doc. 22, argues that summary judgment is inappropriate at this stage because discovery is not complete and no evidence has been identified by Defendant Wanda Cain. Having fully considered the arguments, the record, and the applicable authority, the Court finds that the Motion for Summary Judgment and Request for Oral Argument are premature. The Court will extend the discovery deadline to February 8, 2019 and the dispositive motions deadline to March 11, 2019 to

allow the parties to complete discovery and file all dispositive motions. The “Motion for Summary Judgment by Wanda Marie Cain, Administratrix of Estate of Jervais Wan-Ya Cain,” Doc. 19, and “Defendant Wanda Cain’s Request for Oral Argument,” Doc. 24, are denied without prejudice to be refiled at the appropriate time.

SO ORDERED.

Signed: January 10, 2019

A handwritten signature in black ink, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

