

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:11CV62-RLV-DSC

PETER JOLLY,
Plaintiff,
v.
DAVID THOMAS MCBARNEY, et. al.,
Defendants.

ORDER

THIS MATTER is before the Court on "Plaintiff's Motion to Shorten the Time for Defendants to Provide Reports from Expert Witnesses" (document #31).

On June 14, 2012, the Court granted Defendants' Motion for Extension of Time to File Expert Reports (document #29). See "Order" (document #30) (extending deadline for submission of Defendants' expert reports from June 15, 2012 to December 13, 2012). The basis for Defendants' Motion was Plaintiff's failure to produce his medical records in a timely fashion.

In the subject Motion, Plaintiff does not dispute the specific allegations of Defendants' Motion. Rather Plaintiff's counsel complains that defense counsel failed to fully consult with opposing counsel prior to filing Defendants' Motion.

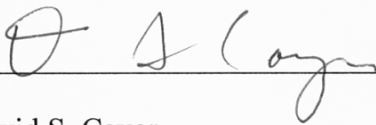
Having consulted with the chambers' staff of the Honorable Richard L. Voorhees, the Court will extend the remaining pretrial deadlines and the trial date. The Court warns the parties and their counsel that failure to respond to the opposing party's reasonable discovery requests, or to comply with the Court's Orders, the Local Rules, or the Rules of Civil Procedure may result in the imposition of sanctions. Sanctions can include a party and/or their counsel being required to pay the opposing party's costs, including reasonable attorney's fees, and may also include entry of judgment against the offending party.

IT IS HEREBY ORDERED that:

1. All pretrial deadlines not previously extended are extended six months.
2. Trial is scheduled for the first day of the September 2013 Statesville Trial Term at 9:30 A.M.
3. "Plaintiff's Motion to Shorten the Time for Defendants to Provide Reports from Expert Witnesses" (document #31) is **DENIED AS MOOT**.
4. The Clerk is directed to send copies of this Order to counsel for the parties, including but not limited to moving counsel; and to the Honorable Richard L. Voorhees.

SO ORDERED.

Signed: June 30, 2012



David S. Cayer
United States Magistrate Judge

