

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

GABRIELLE RENOIR-LARGE, *et al.*,

Plaintiffs,

vs.

Civil Action 2:11-CV-0023
Judge Marbley
Magistrate Judge King

NORMA DARWIN LANE,

Defendant.

OPINION AND ORDER

Plaintiffs, residents of Ohio proceeding without the assistance of counsel, allege that defendant, a North Carolina resident who is proceeding without the assistance of counsel, harassed and threatened plaintiffs through various internet message boards. This matter is now before the Court on *Plaintiffs' Motion to Compel Defendant to Answer Plaintiffs' Interrogatories and to Produce Evidence*, Doc. No. 107 ("*Motion to Compel*") and *Plaintiffs' Motion to Deem Admitted "Plaintiffs' Requests for Admission to Defendant"*, Doc. No. 108 ("*Motion to Deem Admitted*").

On March 16, 2011, the Court conducted a preliminary pretrial conference pursuant to the provisions of Fed. R. Civ. P. 16(b). Following that conference, the Court issued an order directing, *inter alia*, that all discovery be completed by September 30, 2011. *Preliminary Pretrial Order*, Doc. No. 38, p. 2. In that order, the Court specifically advised the parties that "the discovery completion date requires that discovery requests be made sufficiently in advance to permit timely response by that date." *Id.* The Court later reaffirmed that all non-expert discovery must be completed by

September 30, 2011. *Order*, Doc. No. 80.

On September 7, 2011, plaintiffs served interrogatories and requests for admission on defendant. *Exhibit A*, pp. 20-21,¹ attached to *Motion to Compel*; *Exhibit A*, pp. 4-5, attached to *Motion to Deem Admitted*. However, as plaintiffs acknowledge in their current motions, defendant may have up until thirty days to respond to these discovery requests. Fed. R. Civ. P. 33(b)(2); *Motion to Compel*, p. 1; *Motion to Deem Admitted*, p. 1. The deadline for defendant's responses to these discovery requests was therefore October 7, 2011. Because this response deadline falls outside the established discovery deadline,² defendant had no obligation to respond to plaintiffs' belated discovery requests. *See Preliminary Pretrial Order*, p. 2.

WHEREUPON, *Plaintiffs' Motion to Compel Defendant to Answer Plaintiffs' Interrogatories and to Produce Evidence*, Doc. No. 107, and *Plaintiffs' Motion to Deem Admitted "Plaintiffs' Requests for Admission to Defendant"*, Doc. No. 108, are **DENIED**.

December 28, 2011

s/Norah McCann King
Norah McCann King
United States Magistrate Judge

¹Although plaintiffs typed that they served these documents on September 2, 2011, *id.* at 20, their signatures on the certificate of service are dated September 7, 2011, *id.* at 21.

²Plaintiffs never asked to extend the discovery deadline in this case.