



insistence. (Doc. 41.)

With his pending motion, Plaintiff requests an extension of time to file an opposition to City Defendants' motion and an alternative amended schedule. (Doc. 43 at 1.) He also seeks an enlargement of time to file motions to compel production of documents. (*Id.*) Plaintiff points to his disadvantaged position in this litigation due to his poor health, the fact that he is a solo practitioner with fewer resources than Defendants, his diminished financial situation, and the unexpected and sudden death of his son as the reasons for his requests. (*Id.* ¶¶ 8-11.)

With the Court's February 9, 2010, Revised Case Management Order (Doc. 28), we allowed extended deadlines, including the discovery deadline. However, the discovery deadline was limited as to the depositions which could be taken, i.e., essentially those which had been previously scheduled by Defendants which could not take place due to an injury sustained by Plaintiff. (See Doc. 28 at 1; Docs. 25, 26.)

When Plaintiff severed ties with his attorney and began to represent himself, he filed a Motion to Request Amendment of Case Management Plan. (Doc. 29.) In response to Plaintiff's motion (Doc. 29) and City Defendants' Motion for Extension of Time to Complete Discovery and to Amend the Case Management Schedule (Doc. 30), the Court issues an Amended Case Management Order (Doc. 32) on April 16, 2010. In this Order, the Court set a discovery deadline

of June 30, 2010. (*Id.* ¶ 1.) Discovery was not limited as in the Court's February 9, 2010, Order. (*Id.*)

Plaintiff again filed a motion for extension of time on May 24, 2010. (Doc. 33.) With his Motion for Enlargement of Time to Produce Expert Reports, Plaintiff requested that his expert report deadline be extended from May 30, 2010, to July 12, 2010. (Doc. 33 at 3.) The Court granted Plaintiff's motion and issued an Amended Case Management Order reflecting the additional time for submission of expert reports and additional time for filing dispositive motions. (Doc. 33 ¶¶ 2-4.) The discovery deadline remained the same as that set in the Court's April 16, 2010, Order (Doc. 32 ¶ 1), i.e., June 30, 2010. (Doc. 36 ¶ 1.)

In City Defendants' current motion, they set out the difficulties they have had deposing Plaintiff and others--asserting that all scheduled depositions were cancelled at Plaintiff's insistence. (Doc. 41 at 2.) They also assert that other depositions need to be scheduled and they are awaiting further information from Plaintiff. (*Id.*) For these reasons, City Defendants request the discovery deadline be extended until September 30, 2010, and that other deadlines also be extended. (*Id.* at 3.) They further request that Plaintiff be prohibited from taking depositions as set out in the Court's February 9, 2010, Order. (Doc. 41-2 at 2.)

While we are sympathetic with Plaintiff's unexpected loss of

his son on June 29, 2010, we do not find that this warrants granting his current requests--Plaintiff's son died the day before the discovery deadline and he presents absolutely no evidence that he would have complied with the deadline but for the tragic event. Plaintiff's other claimed reasons for seeking extensions are similarly without merit.<sup>1</sup> Plaintiff is before this Court *because he filed an action here*, he is routinely dilatory in compliance with deadlines, and the scheduling difficulties which his problems create for Defendants certainly do not promote the efficient administration of justice.

For these reasons, we conclude Plaintiff's motion is properly denied. Because Plaintiff has caused Defendants' inability to complete discovery, Defendants' motion is properly granted.

AND NOW, THIS 16<sup>th</sup> DAY OF AUGUST 2010, IT IS HEREBY ORDERED THAT:

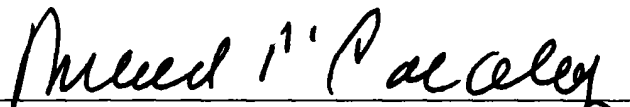
1. City Defendants' Motion for Extension of Time to Complete Discovery and to Amend the Amended Case Management Schedule (Doc. 41) filed is GRANTED;
2. Plaintiff's Motion for Enlargement of Time to File (i) Motions to Compel Production of Documents, and (ii) a Response and Proposed Alternative Amended Case Management

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<sup>1</sup> We agree with Cadle Defendants that Plaintiff's assertions of poor health and limited work ability are belied by the quantity of his filings and the number of lawsuits he has instituted in this Court. (See Doc. 44 ¶ 8.)

Plan in Opposition to City Defendants' Motion for Extension of Time to Complete Discovery and to Amend the Amended Case Management Schedule (Doc. 43) is DENIED;

3. An Amended Case Management Schedule will be issued separately.

  
RICHARD P. CONABOY  
United States District Judge