

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

FRANCIS JOSEPH SANTAROSE  
Plaintiff,

v.

AURORA BANK FSB,  
Defendant.

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CIVIL ACTION NO. H-10-720


**ORDER**

The Court has received Plaintiffs' Motion to Compel [Doc. # 25] ("Motion"). Plaintiffs, first, ask the Court to compel Defendant to respond to interrogatories and requests for production within ten days. At the May 14, 2010, hearing in this case, the Court ruled on Plaintiffs' requests for discovery and ordered Defendant to respond to Plaintiffs' interrogatories and requests for production within ten days of that date, in accordance with the Court's rulings on the record. Plaintiffs' Motion is thus **denied as moot** to this extent.

Plaintiffs also request that the Court "deem admitted" requests for admissions purportedly mailed to Defendant prior to Plaintiffs' filing of this suit. The document Plaintiffs allegedly sent to Defendant did not contain "Requests for Admission" under Federal Rule of Civil Procedure 36. In any event, the Court will not deem admitted any requests for admissions at this time. It is therefore

**ORDERED** that Plaintiffs' Motion [Doc. # 25] is **DENIED**.

SIGNED at Houston, Texas, this 20<sup>th</sup> day of **May, 2010**.

  
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Nancy F. Atlas  
United States District Judge