

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**ELIZABETH LIGHTFOOT *et al.*,**

**Plaintiffs,**

**v.**

**THE DISTRICT OF COLUMBIA *et al.*,**

**Defendants.**

**Civ. A. No. 01-1484 (CKK/JMF)**

**ORDER**

Currently pending and ready for resolution is Defendants' Motion to Enlarge Time to Respond to Plaintiffs' Second Request for Production of Documents, Interrogatories, and Requests for Admission [#240]. In light of the motion, the opposition, and the entire public record herein, it is, hereby, **ORDERED** that defendant's motion is **GRANTED in part and DENIED in part**.

Defendants seek an enlargement of time until June 27, 2005 to respond to plaintiffs' second request for production of documents, interrogatories, and requests for admission. In support of their request, defendants explain that former counsel recently resigned and current counsel have not had sufficient time to finalize the defendants' discovery responses. In addition, defendants argue that the Office of Risk Management has had inadequate time to assist defense counsel in completing the discovery responses because it has been working to complete the closed file project and verification of the addresses of class members in order to comply with the

Court's September 24, 2004 Order.

Before the instant motion was filed, plaintiffs had agreed, in part, to an extension of time but requested that the government provide plaintiffs, by June 3, 2005, with a proposed schedule for discovery responses. Plaintiffs also asked that the government engage in "rolling" responses and document productions. Apparently, the government rejected this proposal and filed a motion seeking a blanket extension of time until June 27, 2005. Plaintiffs object to such an extension and request that the court order defendants to provide prompt responses to the discovery requests, along with all of their objections to all of the discovery requests, by June 3, 2005.

Unfortunately, as plaintiffs point out, this case has been plagued by the government's excuses and delay. However, because June 3, 2005 is today and because defense counsel cannot "undo" the situation in which they find themselves, this court finds that it would be futile to enter the order proposed by plaintiffs. At the same time, defendants must know that the continual postponement of compliance with their legal and discovery obligations must come to an end. Accordingly, this court orders defendants to comply with the following schedule:

1. By June 7, 2005, defendants must provide plaintiffs with all responses and documents that are ready to be disclosed. Defendants must also propose a schedule according to which they will produce the remaining discovery responses on a rolling basis, subject to the deadlines set forth below.
2. By June 13, 2005, defendants must provide plaintiffs with any and all objections they will lodge as to any of the plaintiffs' second request for production of documents, interrogatories, and requests for admission.
3. By June 27, 2005, defendants must complete their responses to plaintiffs' second

request for production of documents, interrogatories, and requests for admission.

**SO ORDERED.**

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JOHN M. FACCIOLA  
UNITED STATES MAGISTRATE JUDGE

Dated: