

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

**WALEED ABDUL-QAWIY,**

**Plaintiff,**

**v.**

**NATIONAL RAILROAD PASSENGER  
CORP., et al.,**

**Defendants.**

**Civil Action 04-01030 (HHK)**

**ORDER**

On March 7, 2006, this court granted defendant's motion to compel and ordered plaintiff to provide complete responses to defendant's interrogatories and requests for production within ten days. The court also ordered plaintiff to pay defendant \$250 for fees incurred in making the motion to compel. After plaintiff failed to comply with this order, defendant moved to dismiss this action due to plaintiff's lack of prosecution [#23], which was referred to Magistrate Judge Alan Kay for his Report and Recommendation. On June 19, 2006, Magistrate Judge Kay filed his report, which recognized plaintiff's "pattern of neglect," but nonetheless recommended that plaintiff be given the opportunity, within a period not to exceed twenty-one days, to come into full compliance with the court's discovery order. Alternatively, the Magistrate Judge recommended dismissal without prejudice for twenty-one days.

Upon consideration the Report and Recommendation of the Magistrate Judge and the record of this case, the court adopts the recommendation of the Magistrate Judge in part. Specifically, the court agrees that plaintiff should be given one final opportunity to comply with this court's orders, but will provide only ten days for plaintiff to do so.

Accordingly, it is this 31<sup>st</sup> day of July 2006, hereby

**ORDERED** that the Report and Recommendation of Magistrate Judge Kay is **ADOPTED** in part; and it is further

**ORDERED** that plaintiff shall have ten days from the docketing of this order to come into full compliance with this court's previous discovery order. Failure to do so will result in the dismissal of this action.

Henry H. Kennedy, Jr.  
United States District Judge