

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
IVORY FULLER,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 09-1137 (RLW)
)	
FRIED, FRANK, HARRIS, SHRIVER,)	
& JACOBSON LLP,)	
)	
Defendant.)	
_____)	

ORDER

Plaintiff has compiled a disturbing history of a personal lack of diligence in prosecuting her case, both before and after she became a pro se litigant. For example, despite court-ordered deadlines, she failed to timely reply to defendant's request to depose her, to timely file a supplemental memorandum to her motion to stay proceedings for ninety days, and to appear at the May 11, 2010 post-discovery status conference. She is reaching the limit of the court's tolerance for further delay by her, and the limit of how much of her delay with which the defendant ought to have to contend. However, since she appears now to have re-engaged enough to finally submit to her deposition, the judicial preference for resolving disputes on the merits rather than on the basis of procedural defects counsels, perhaps for the last time, in favor of permitting the case to proceed.

Accordingly, it is hereby

ORDERED that defendant's motion to dismiss be, and hereby is, DENIED without prejudice. It is further

ORDERED that deadline for filing dispositive motions is set as February 28, 2011. The Clerk is directed to mail a copy of this order promptly to the plaintiff at her address of record.

SIGNED this 28th day of January, 2011.

/s/
RICHARD W. ROBERTS
United States District Judge
for
ROBERT L. WILKINS
United States District Judge