

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

THOMAS P. NIXON,
Plaintiff,

vs.

CITY OF HOUSTON, *et al.*,
Defendants.

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Civil Action H-06-0296

ORDER

Before the court is defendants' motion for protective order. Plaintiff was properly served with this motion on October 6, 2006, but has filed no response. Failure to file a timely response may be taken by the court as a representation of no opposition. LOC. R. S.D. TEX. 7.4.

Plaintiff served defendant with requests for production, interrogatories, and requests for admissions on September 29, 2006, the last day of the discovery period. Defendants' responses to these requests were to be due on October 30, 2006, well past the discovery deadline. The scheduling order clearly states that all discovery shall be completed by September 29, 2006 and plaintiff has not requested an extension of time.

Defendants, therefore, have shown good cause for the issuance of a protective order. See FED. R. CIV. P. 26(c). Accordingly, defendants' motion for protective order is GRANTED, and defendants need not respond to the plaintiff's September 29, 2006 discovery requests.

Signed at Houston, Texas on November 17, 2006.



Stephen Wm Smith
United States Magistrate Judge