IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 04-20017-DV
	)	
RANDE LAZAR, M.D., d/b/a	)	
OTOLARYNGOLOGY	)	
CONSULTANTS OF MEMPHIS,	)	
Defendants.	)	

ORDER GRANTING GOVERNMENT'S MOTION TO COMPEL DEFENDANT
TO PROVIDE EXPERT WITNESS LIST

Before the court is the September 17, 2004 motion of the plaintiffs, the government, to compel the defendant, Rande Lazar, to provide the government with an expert witness list. The motion was referred to the United States Magistrate Judge for a determination.

Pursuant to Local Criminal Rule 12.1, responses to motions are required to be filed within eleven days of the service of the motion if a party opposes the motion. Lazar has failed to respond to the government's motion, and the time for response has expired. Local Rule 12.1 further provides that "[f]ailure to file a response will constitute a waiver of any objections which the party may have to a motion."

In the absence of any response by the defendant, it is assumed

that Lazar has no opposition to the motion and any objections it might have had to the motion are waived. Accordingly, the government's motion requesting that Lazar provide an expert witness list is granted.

IT IS SO ORDERED this 4th day of October, 2004.

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DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE