

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF TENNESSEE  
Western Division**

**GARDO DESIGN GROUP, LLC,**

**Plaintiff,**

**v.**

**Cause No. 2:06-CV-02702-JPM-DKV**

**WAYNE MILLS, WAYNE MILLS  
ENTERPRISES, LLC and TOMMY STITES,**

**Defendants.**

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**ORDER DENYING MOTION TO COMPEL DISCOVERY**

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Before the court is the October 2, 2007 motion of the plaintiff, Gardo Design Group, LLC, to compel the defendants to respond to the plaintiff's first set of interrogatories and requests for production of documents served on the defendants in April of 2007. The motion was referred to the United States Magistrate Judge for determination. In response to the motion, counsel for the defendants requested additional time to respond to the discovery requests because of physical illness of defendant Wayne Mills and the inability to contact defendant Tommy Stites.

The request for additional time is granted. The defendants shall respond to the plaintiff's discovery requests on or before Friday, November 23, 2007. The defendants are warned that failure to abide by this order or to comply with future discovery requests may result in the entry of default judgment against them.

Accordingly, the motion to compel is denied at this time as moot.

It is so ordered this 23<sup>rd</sup> day of October, 2007.

s/ Diane K. Vescovo  
UNITED STATES MAGISTRATE JUDGE