

- 1 4. Plaintiff has clearly stated since the beginning of this case that she intends to add the
2 John Doe parties as soon as she unveils their identity through discovery.
- 3 5. Defendants failed to provide certain discovery items in a timely manner. Plaintiff
4 was forced to send repeated requests for the items. Plaintiffs' attorney Stephen
5 MacPhail stated that he was busy with other cases and out of town. Plaintiff was
6 forced to file a motion to compel discovery. Only after a hearing had been set did
7 Defendant give discovery items to Plaintiff.
- 8 6. Plaintiff sent a notice of subpoena and subpoenas to Defendant on April 27, 2012.
9 Defendant did not reply until a month later on May 31, 2012 objecting to the
10 subpoenas. Defendant sent their notice objecting to subpoenas via regular mail even
11 though they'd previously promised to email and fax documents. Defendants'
12 attorney Stephen MacPhail was at a hearing on June 1, 2012 with Plaintiff yet he did
13 not notify her of the letter or objection to the subpoenas. MacPhail knows that
14 Plaintiff's mailbox is 30 miles from her home. Plaintiff believes that MacPhail was
15 attempting to stall Plaintiff in the hopes that the time period would pass.
- 16 7. Plaintiff will not be able to complete her discovery within the available time period.
17 Plaintiff needs more time to receive the results of her subpoenas so she can add the
18 unknown John Does. Defendants state they will object to Plaintiffs' subpoenas so a
19 motion to compel has been prepared. This will take even more time.
- 20 8. As a result of these discovery disputes and the fact that Plaintiff has been ill and
21 busy with a trial in Texas, Plaintiff has not had enough time to receive the results of
22 the subpoenas and add the John Doe defendants. Plaintiff requests a sixty (60) day
23 extension.
- 24 7. A sixty (60) day extension will not prejudice any of the parties. The extension is
25 being requested so that Plaintiff may complete the discovery she has been unable to
26 conduct so far and add defendants. The extension is not being sought for any
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1 purpose contrary to the Federal Rules of Civil Procedure or the Local Rules of this
2 Court.

3 For these reasons, Plaintiff respectfully request that the Court issue an Order
4 extending the discovery period and add defendants in this matter for sixty (60) days,
5 through and including September 3, 2012. A proposed Order is attached hereto for this
6 Court's convenience.

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Respectfully submitted,

Mary Cummins, Plaintiff
Dated: June 22, 2012
645 W. 9th St. #110-140
Los Angeles, CA 90015
In Pro Per
Telephone: (310) 877-4770

1 PROOF OF SERVICE BY MAIL
2 (FRCivP 5 (b)) or
3 (CCP 1013a, 2015.5) or
4 (FRAP 25 (d))

5 I am Plaintiff in pro per whose address is 645 W. 9th St. #110-140, Los Angeles,
6 California 90015-1640. I am over the age of eighteen years.

7 I further declare that on the date hereof I served a copy of:

8 **MOTION TO EXTEND DISCOVERY AND ADD NEW DEFENDANTS**

9 on the following by placing a true copy thereof enclosed in a sealed envelope
10 addressed as follows for collection and mailing at 645 W. 9th St. #110-140, Los
11 Angeles, CA 90015-1640.

12 **Stephen M. MacPhail**
13 Bragg & Kuluva
14 555 S. Flower St., #600
15 Los Angeles, CA 90071

16 I also faxed a copy to Stephen M. MacPhail at (213) 612-5712.

17 I declare under penalty of perjury, under the laws of the State of California, that the
18 foregoing is true and correct.

19 Executed this day, June 22, 2012, at Los Angeles, California

20 Respectfully submitted,

21
22 _____
23 Mary Cummins, Plaintiff
24 Dated: June 22, 2012
25 645 W. 9th St. #110-140
26 Los Angeles, CA 90015
27 In Pro Per
28 Telephone: (310) 877-4770

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MARY CUMMINS) Case No. CV11 08081 DMG (MANx)
Plaintiff)
)
v.)
)
AMANDA LOLLAR aka BAT) ORDER MOTION TO EXTEND
) DISCOVERY AND ADD
WORLD SANCTUARY an individual) DEFENDANTS
)
person, BAT WORLD SANCTUARY)
an unknown business entity, JOHN)
DOES 1-10)
Defendants)

ORDER

Upon review of Plaintiff’s Motion to Extend Discovery period and add defendants, and for good cause shown, this Court hereby **GRANTS** and **APPROVES** said Motion to Extend the Discovery Period and add defendants. The discovery period in this case and time to add defendants is thus extended until September 3, 2012.

IT IS SO ORDERED this ____ day of _____, 2012

Judge Presiding