

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

ROSEMARY E. HARRIS,)
)
 Plaintiff,)
)
 v.) Case No. 04-2578-CM
)
 COMMUNITY RESOURCES)
 COUNCIL OF SHAWNEE COUNTY,)
 KANSAS, INC., et al.,)
)
 Defendants.)

ORDER

This case comes before the court on plaintiff's motion for sanctions and/or to compel disclosures (**doc. 10**). Plaintiff seeks an order compelling defendants to fully comply with Fed. R. Civ. P. 26(a)(1) by providing substantive disclosures. In support of her motion, plaintiff asserts that the only "disclosures" defendants have provided are what appears to be plaintiff's personnel file consisting of 319 pages of documents. Plaintiff also seeks sanctions against defendants, including but not limited to, attorney's fees and costs. No opposition to the motion has been filed by defendants, and the time for doing so expired more than two full weeks ago. For the reasons explained below, the motion is granted.

D. Kan. Rule 7.4 provides:

If a respondent fails to file a response within the time required by Rule 6.1(d), the motion will be considered and decided as an uncontested motion, and ordinarily will be granted without further notice.

Given the state of the record and the above-cited local rule, the court hereby grants plaintiff's motion as unopposed and directs defendants to provide complete Rule 26(a)(1) disclosures to plaintiff by **May 25, 2005**. In addition, the court concludes that plaintiff's fees and costs should be assessed against defendants for defendants' failure to provide timely Rule 26(a)(1) disclosures and for their failure to respond to plaintiff's motion. Therefore, by **May 25, 2005**, plaintiff shall file an affidavit of the costs and fees incurred in bringing the instant motion. Defendants shall file any response to that affidavit regarding the reasonableness of fees requested on or before **June 1, 2005**. To the extent plaintiff seeks additional sanctions, including default judgment against defendants, the court concludes that such an extreme sanction is not warranted at this time.

IT IS SO ORDERED.

Dated this 18th day of May, 2005 at Kansas City, Kansas.

s/ James P. O'Hara
James P. O'Hara
U.S. Magistrate Judge