

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

KIM REINDL, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 04-2584-RDR
)	
CITY OF LEAVENWORTH, KANSAS,)	
et al.,)	
)	
Defendants.)	

ORDER

Pursuant to Fed. R. Civ. P. 37(a)(2)(B), this case comes before the court on the motion of the defendants (**doc. 34**) for an order compelling the plaintiffs to fully answer defendants' written discovery, and for fees and expenses incurred to attain the relief requested. No timely response to the motion has been filed by plaintiffs.

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.

Accordingly, the court grants defendants' motion as unopposed and directs plaintiffs to fully respond to the specific interrogatories referenced in defendants' motion by **June 20, 2005**.

As to defendants' request for fees and expenses, defendants are directed to file an affidavit which includes the time and related expenses incurred in filing the instant motion no later than **June 15, 2005**.

Plaintiffs are directed to show cause in writing to the undersigned Magistrate Judge, 208 U.S. Courthouse, 500 State Avenue, Kansas City, Kansas 66101, no later than **June 20, 2005**, why the requested fees and expenses should not be assessed against plaintiffs, their counsel, or both, for failure to fully respond to the interrogatories in issue as well as the defendants' motion to compel.

Copies of this order shall be served on all counsel of record for the parties. IT IS SO
ORDERED.

Dated this 9th day of June, 2005, at Kansas City, Kansas.

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