

THE HONORABLE ROBERT J. BRYAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BLUEDOG DESIGN, LLC,

Plaintiff

vs.

MELINDA NESS d/b/a DOG DESIGN
HOUSE,

Defendant.

CASE NO. C08-5322RJB

ORDER GRANTING PLAINTIFF'S
MOTION TO COMPEL DISCOVERY
RESPONSES

This matter comes before the Court on Plaintiff's Motion to Compel Discovery Responses (Dkt. 16). The Court has considered the relevant documents and the remainder of the file herein.

On May 20, 2008, Plaintiff Bluedog Design, LLC, filed a complaint requesting damages and injunctive relief pursuant to 15 U.S.C. § 1125(d), 15 U.S.C. § 1051 *et seq.*, and common law infringement of trademark rights. Dkt. 1. The Plaintiff now moves to compel Defendant Melinda Ness d/b/a Dog Design House to fully respond to interrogatories and request for production of documents. Dkt. 16.

Under CR 7(b)(2), "[i]f a party fails to file papers in opposition to a motion, such failure may be considered by the court as an admission that the motion has merit." The

1 Defendant has not filed any papers in opposition to this motion to compel, therefore the court
2 should find that the Plaintiff's motion to compel has merit and grant the Plaintiff's motion.

3 It is hereby ORDERED that Plaintiff's Motion to Compel Discovery Responses (Dkt.
4 16) is **GRANTED**. Defendant shall provide responses to Plaintiff by forthwith and no later
5 than January 30, 2009.

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7 DATED this 7th day of January, 2009.

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10 ROBERT J. BRYAN
11 United States District Judge
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