

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION AT LAFAYETTE

IN RE: CASE NO. 03-40519)
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ANNARE L. LOUBSER)
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Debtor)
)
)
ANNARE L. LOUBSER)
)
Plaintiff)
)
vs.) PROC. NO. 06-4015
)
)
ALEXANDER R. PALA)
R. DENNIS HOOVER)
)
Defendant)

DECISION AND ORDER

At Fort Wayne, Indiana on January 4, 2007.

Pursuant to the litigation schedule established for this matter, all discovery was to be completed by July 10, 2006. Order Approving Litigation Schedule dated May 15, 2006. Thereafter, on October 10, 2006, the parties filed a final pretrial order that makes no reference to any outstanding discovery or discovery-related issues. By an order issued on October 27, 2006, this matter is scheduled for a two-day trial to be begin on January 24, 2007.

On December 21, 2006, the plaintiff filed motions to compel third party discovery from Indiana Abstract and Title Company, Inc. and for sanctions. As near as the court can tell, the plaintiff is not satisfied by the response she received which indicated that Indiana Abstract and Title did not have documents in its possession, but she has failed to identify, with any degree of specificity, the particular requests which have not been sufficiently complied with or why the

response is perceived to be inadequate. See e.g., Fed. R. Bankr. P. Rule 9013.

In view of the fact that discovery closed months ago and the impending trial date, the motion is not timely. See, Packman v. Chicago Tribune Co., 267 F.3d 628, 646-47 (7th Cir. 2001). See also, JOM, Inc. v. Adell Plastics, Inc., 193 F.3d 47, 51 (1st Cir. 1999). Furthermore, the court does not believe that motion gives the alleged contemnor sufficient notice of what is has failed to do so that it can adequately respond. Plaintiff's motion to compel Indiana Abstract and Title Company, Inc. for production of documents is therefore DENIED.

/s/ Robert E. Grant
Judge, United States Bankruptcy Court