

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MALIBU MEDIA, LLC,

Plaintiff,

v.

DON BUI a/k/a Huy H. Bui,

Defendant.

CASE NO. 1:13-CV-162

HON. ROBERT J. JONKER

ORDER

Plaintiff moves to extend the Case Management Order deadline for ADR from March 31, to May 30, 2014. The only reason provided is to permit Plaintiff time to file a summary judgment motion, and have the Court rule on it before ADR. The Motion is denied.

First, the motion does not comply with the local rules in two respects. It does not report attempts to obtain concurrence. Nor does it include a supporting brief. These deficiencies alone are reason enough to deny the motion.

Second, on the merits, the prospect of a summary judgment motion is not a reason to defer ADR. To the contrary, ADR is often best used as a means of preempting the need for dispositive motions. In fact, the Court does not ordinarily consider summary judgment motions before the parties have completed the ADR ordered under the Case Management Order.

Finally, a 60-day adjournment of ADR would not ensure sufficient time for decision on a summary judgment motion anyway. The briefing schedule alone lasts six weeks, and then there needs to be time for hearing and decision.

Accordingly, Plaintiff's Motion (docket # 25) is **DENIED**. ADR shall take place as ordered under the Case Management Order forthwith.

Dated: April 3, 2014

/s/ Robert J. Jonker
ROBERT J. JONKER
UNITED STATES DISTRICT JUDGE