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Attorney for Plaintiffs

MARC J. RANDAZZA, JENNIFER RANDAZZA, and NATALIA RANDAZZA

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MARC J. RANDAZZA, an individual,)	Case No. 2:12-cv-02040-GMN-PAL
JENNIFER RANDAZZA, an individual, and)	
NATALIA RANDAZZA, a minor,)	NOTICE OF FAILURE TO SUBMIT
)	DISCOVERY PLAN
Plaintiffs,)	
)	
vs.)	
)	
CRYSTAL COX, an individual, and ELIOT)	
BERNSTEIN, an individual,)	
)	
Defendants.)	

Plaintiffs Marc J. Randazza, Jennifer Randazza, and Natalia Randazza, through counsel, hereby submit this Notice of Failure to Submit Discovery Plan.

Plaintiffs filed a Motion for Summary Judgment (ECF 75) and a Motion to Strike Defendant Crystal Cox's Counterclaim (ECF 48). The resolution of these Motions will render a discovery plan unnecessary. Defendant Cox has also filed a Motion for Summary Judgment (ECF 79), and Defendant Eliot Bernstein is in default (ECF 39). Thus, Defendants clearly believe that a discovery plan is unnecessary as well. Finally, even if one were necessary, Plaintiffs have been unable to meet with Defendant Cox to have the required conference under Fed. R. Civ. P. 26(f) because Cox refuses to speak with Plaintiffs' counsel via telephone or in person. (See Exhibit A and ECF 47 at 3). Even if one could be crafted via email, the Court is no doubt aware of the

1 unintelligible nature of most of Cox's written communications. Thus, a joint discovery plan is
2 impossible.

3 In light of the foregoing, Plaintiffs hereby give notice that they do not believe a discovery
4 plan is currently necessary in this matter.

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6 Dated: February 19, 2013

Respectfully submitted,

7 /s/Ronald D. Green

8 Ronald D. Green, NV Bar #7360

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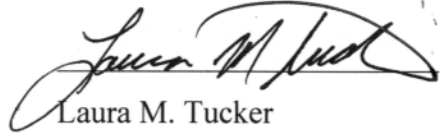
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1 **CERTIFICATE OF SERVICE**

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3 Pursuant to the Federal Rules of Civil Procedure 5(b), I hereby certify that the foregoing
4 document was filed using this Court's CM/ECF system on February 19, 2013.

5 Dated: February 19, 2013

Respectfully Submitted,

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7 

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9 Law Clerk
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