

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

LINDA FAYE NAVARRE, an individual;)	
)	
Plaintiff,)	
)	
vs.)	2:11-cv-03056-WMA
)	
SYSKO CENTRAL ALABAMA,)	
INC., a corporation; WIAL ASSOCIATES,)	
LLC, a corporation;)	
)	
Defendants.)	

**MOTION FOR CONTEMPT OF COURT AGAINST
NONPARTY, WINNGATE**

Comes now the Plaintiff, Linda Faye Navarre, by and through counsel of record and pursuant to Rule 45(d)(2)(e) of the Federal Rules of Civil Procedure, files this Motion for Contempt of Court Against Nonparty, Winngate Inn (hereinafter "Winngate"). As grounds therefore, states as follows:

1. Plaintiff served a Subpoena to Produce Documents, Information, or Objects upon nonparty, Winngate on September 7, 2012 . Said subpoena is requesting video surveillance and any materials evidencing the video surveillance system in place on May 4, 2011 at the hotel where the Plaintiff, Linda Navarre was injured.

Exhibit "A"

2. Winngate received said subpoena via certified mail on September 8, 2012.
3. Plaintiff wrote to Winngate on October 25, 2012 asking that they respond to said subpoena.
4. Winngate received said letter of October 25, 2012 via certified mail on November 1, 2012 .
5. On November 19, 2012, Plaintiff filed a Motion to Compel Winngate
6. On November 20, 2012, this Court granted Plaintiff's Motion to Compel Winngate ordering them to respond to said subpoena on or before December 3, 2012.
7. To date, Winngate has failed and/or refused to respond.

WHEREFORE, Premises Considered, Plaintiff respectfully requests this Honorable Court hold nonparty, Winngate in contempt of court.

s/Robert P. Bruner
KEITH T. BELT, JR. (BEL-026)
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Attorneys for Plaintiff

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CERTIFICATE OF SERVICE

I hereby certify that on this the 15th day of April, 2013, I have electronically filed the foregoing with the Clerk of the Court using the electronic filing system, which will send notification of such filing to the following:

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s/Robert P. Bruner
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