



Alabama. See ECF No. 64 in *Drummond Company, Inc. v. Terrence P. Collingsworth, et al.*, No. 2:11-cv-3695-RDP-TMP (N.D. Ala.). A number of work-product related issues remain pending in the underlying action and Judge Proctor's ruling on those issues will affect the scope of documents that must be produced in response to Drummond's subpoena to Kovalik. Accordingly, a transfer is warranted to permit the Court with the most familiarity with this case—the District Court for the Northern District of Alabama—to decide these issues. That is the only way in which consistency may be ensured. The Court notes that the District Court for the District of Columbia recently recognized these same concerns as warranting the transfer of a motion to quash a subpoena served in that district related to the underlying action in Alabama. See Minute Order of April 2, 2014 in *Drummond Company, Inc. v. Terrence P. Collingsworth, et al.*, No. 1:13-mc-877-ABJ-DAR (D.D.C.). Transfer is also warranted because it will not inconvenience or prejudice Kovalik, the party who is subject to the subpoena. He has “neither brought this motion to quash nor made any arguments in support thereof.” *Melder v. State Farm Mut. Auto. Ins. Co.*, 2008 WL 1899569, at \*4 (N.D. Ga. Apr. 25, 2008). “Thus, not only is the forum court much more familiar with this case and, therefore, more capable of making an intelligent ruling, no one other than the parties is even involved in the discovery dispute before this court.” *Id.*

**SO ORDERED**, this 14<sup>th</sup> of April, 2014.

BY THE COURT:

s/Terrence F. McVerry  
United States District Judge

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