

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

FERNANDO DELEON, JOSE M. COSTILLO,)
JESUS NUNEZ, ALAIN RAMIREZ,)
PETER LOO, and WILMER CRESPO,)

Plaintiffs,)

v.)

CIVIL ACTION NO. 08-00562-KD-N

ST. MOBILE AEROSPACE ENGINEERING,)
INC.,)

Defendant.)

ORDER

Pursuant to the Court’s Order dated November 29, 2011 (doc. 62), plaintiffs’ counsel has responded (doc. 63) to the post-judgment motion to compel (Doc. 61) filed by the defendant, ST Mobile Aerospace Engineering, Inc. (“MAE”). Plaintiffs’ counsel concedes that MAE’s motion is due to be granted. (Doc. 63 at ¶ 1). Counsel further concedes that the costs taxed against his clients in the amount of \$9,971.50 (doc. 56) is “unquestionably due to be paid” and that he has “repeatedly apprised clients of the cost due . . . [and] that costs need to be paid.” (Doc. 63 at ¶ 2). Although also admitting that MAE might be entitled to attorney’s fees and costs associated with the present motion to compel, counsel requests that the Court not impose additional costs or fees because such “will make the collection of payment more difficult and only further delay the full satisfaction of the amount owed Defendant.” (*Id.* at ¶ 3). Although permitted by the Court, MAE opted not to reply to plaintiffs’ response.

Upon consideration of the motion, plaintiffs' response and all other pertinent portions of the record, it is **ORDERED** that MAE's motion to compel (doc. 61) be **GRANTED** as follows:

1. The plaintiffs, Fernando DeLeon, Jose M. Castillo, Jesus Nunez, Alain Ramirez, Peter Loo and Wilmer Crespo, shall deliver to MAE the answers to the post-judgment interrogatories served by MAE on May 10, 2011 by **no later than March 16, 2012.**¹

2. In the event plaintiffs' fail to comply with this Order by timely serving MAE with the answers to the aforementioned post-judgment interrogatories, Fernando DeLeon, Jose M. Castillo, Jesus Nunez, Alain Ramirez, Peter Loo and Wilmer Crespo, shall:

a. Personally **APPEAR**, along with their counsel of record, before this Court at **10:00 a.m.** on **Friday March 23, 2012** in Courtroom 3B of the United States Courthouse, 113 St. Joseph Street, Mobile, Alabama, to **SHOW CAUSE** why further sanctions should not be imposed for failure to comply with the Court's orders.

3. Plaintiffs shall, in addition to the costs previously taxed by this Court (doc. 56), **PAY** to MAE the reasonable fees and costs incurred in connection with this motion to compel and, in that regard:

a. MAE shall file its proof of such fees and costs by **no later than March 9, 2012;** and

¹ MAE shall notify the court on **Monday March 19, 2012** whether plaintiffs have responded to the post judgment interrogatories as ordered herein.

b. Plaintiffs shall file any objections to the fees and costs sought by MAE by **no later than March 16, 2012** at which time the matter will be taken under submission.

DONE this 17th day of February, 2012.

/s/ Katherine P. Nelson
KATHERINE P. NELSON
UNITED STATES MAGISTRATE JUDGE