

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

GEORGE P. SHEDD, JR., <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	
	:	
vs.	:	CIVIL ACTION 14-275-CB-M
	:	
BARCLAYS CAPITAL		
REAL ESTATE, INC.,		
<i>d/b/a HomeEq Servicing, et al.</i> ,		
	:	
Defendants.	:	

ORDER

On this date, a hearing was held and this Court heard from all parties regarding Plaintiffs' Motions to Compel (Docs. 134, 135, and 140) and all pleadings relating thereto (Docs. 145, 148, 150, 157, 158 and 162). After consideration of the relevant pleadings and the argument of counsel, the Motions were ruled on as follows, for the reasons set out in the audio record of the hearing.

Plaintiffs' Motion to Compel Barclays Capital Real Estate, Inc. to Respond to First Set of Interrogatories and Request for Production (Docs. 134 and 135) was **GRANTED as set out below and otherwise DENIED.**

- A. **GRANTED.** Barclays' Amended Privilege Log is insufficient. It does not comply with the requirements for a privilege log as noted in Paragraph 10.d. of the Amended Rule 16(b)

Scheduling Order (Doc. 127). Defendant is to produce a complying privilege log to Plaintiffs, and confer if there are any disagreements, **not later than April 11, 2016.**

B. **DENIED.** Defendant is not required to subpoena its corporate documents or any other documents from Black Knight Financial Services.

C. **GRANTED.** In response to Interrogatory 2, Defendant is to supplement its list of employees with knowledge of the claims and defenses in this action, especially with respect to each person's knowledge, as more fully discussed at the hearing, **not later than April 11, 2016.**

D. **DENIED.** Defendant stated that there are no pooling or servicing agreements as requested. The response to Request for Production 2 is sufficient.

Plaintiffs' Motion to Compel Wells Fargo Defendants to Respond to First Set of Interrogatories and Request for Production (Doc. 140) was **GRANTED as set out below and otherwise DENIED.**

A. **GRANTED.** Wells Fargo's Privilege Log is insufficient. It does not comply with the

requirements for a privilege log as noted in Paragraph 10.d. of the Amended Rule 16(b) Scheduling Order (Doc. 127). Defendant is to produce a complying privilege log to Plaintiffs, and confer if there are any disagreements, **not later than April 11, 2016.**

B. **DENIED.** Defendant's response is sufficient to Interrogatory 2.b. Wachovia Bank's mortgage loans were assumed by Defendant when it merged with Wachovia Bank.

C. **DENIED.** Defendant's responses to Interrogatory 2.i. and Requests for Production 14 and 18 are sufficient since the requests are not relevant and too broad.

D. **MOOT** as to Request for Production 2.

E. **GRANTED as modified.** Defendant is to produce a copy of its training materials related to the Fair Debt Collection Practices Act, the Real Estate Settlement Procedures Act and the Fair Credit Reporting Act, **not later than April 11, 2016.**

DONE this the 28th day of March, 2016.

s/BERT W. MILLING, JR.
UNITED STATES MAGISTRATE JUDGE