

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

DANIEL GARBIELE :
: :
: :
v. : CIV. NO. 3:10CV38 (JCH)
: :
CAESAR SANZARO :
: :
TRIBECA STONeworks, INC. :
: :

SCHEDULING ORDER RE: SEPTEMBER 7, 2012, DISCOVERY CONFERENCE

At a discovery conference on September 7, 2012, to discuss plaintiff's objections to defendants' March 7, 2011, Requests for Production Nos. 11-15, the following orders were entered.

Plaintiff's counsel will confer with his client and Tony Longo regarding the central location(s) for the storage of construction related documents and provide this information to defendant on or before September 19, 2012.

Plaintiff will provide a list of all sub-contractors with contact information and provide any documents that indicate a sub-contractor was not completing work in a timely manner. Documents referencing any delay will be provided. Plaintiff may designate what is "critical" and/or leave the inquiry to the time of the depositions.

Plaintiff will provide a copy of construction scheduling documents/spreadsheets. If the documents do not exist, plaintiff will provide a written response under oath consistent with the Federal Rules.

Defendant will provide all documents regarding stone supply, including all documents referencing Jerusalem Stone.

Plaintiff seeks timeline information specifying, for example, when Sanzaro ordered the stone from the supplier, when the stone was provided to the supplier, when the stone was delivered to plaintiff and when the buyer billed plaintiff for the stone. Plaintiff will make this request in writing, specifying the information requested.

On or before September 19, 2012, the parties will simultaneously exchange production. The parties will not delay production if there are outstanding documents that can be provided at a later date.

Before the next conference, the parties will confer and set a tentative date for the deposition for Tony Longo.

A follow-up telephone conference will be held on October 1, 2012 at 4:00PM. Once all the parties are on the line, please contact Chambers at (203) 579-5640. The parties will contact the Court if any issues arise before the next conference that may delay the progress of this case.

This is not a recommended ruling. This is a discovery ruling and order which is reviewable pursuant to the "clearly erroneous" statutory standard of review. 28 U.S.C. § 636 (b) (1) (A); Fed. R. Civ. P. 6(a), 6(e) and 72(a); and Rule 2 of the Local Rules for United States Magistrate Judges. As such, it is an order of the Court unless reversed or modified by the

district judge upon motion timely made.

ENTERED at Bridgeport this 25th day of September 2012.

_____/s/_____
HOLLY B. FITZSIMMONS
UNITED STATES MAGISTRATE JUDGE