

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION**

DENISE B. D'APRILE,

Plaintiff,

-vs-

Case No. 2:09-cv-270-FtM-36SPC

UNUM LIFE INSURANCE COMPANY OF  
AMERICA,

Defendant.

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**ORDER**

This matter comes before the Court on Plaintiff's Motion to Compel Discovery (Doc. #54) filed on June 21, 2010. Defendant filed its Response to Plaintiff's Motion to Compel Discovery (Doc. #59) on July 6, 2010.

Pursuant to M.D. Fla. Local Rule 3.04(a):

[a] motion to compel discovery pursuant to Rule 36 or Rule 37, Fed. R. Civ. P., shall include quotation in full of each interrogatory, question on deposition, request for production to which the motion is addressed; each of which shall be followed immediately by quotation in full of the objection and grounds therefor as stated by the opposing party; or the answer or response which is asserted to be insufficient, *immediately followed by a statement of the reason the motion should be granted.* (emphasis added)

The Plaintiff's failure to comply with the Local Rules is fatal to its request and the Motion is due to be denied. All future motions to compel filed in this case shall comply with Local Rule 3.04(a).

The party opposing the Motion is advised to set forth its arguments in opposition immediately

following the statement of the reason why the motion should be granted. If Plaintiff chooses to refile the Motion in compliance with Local Rule 3.04(a), she may file a redacted and public version on CM/ECF and provide the Clerk of Court with an unredacted copy to be filed under seal. Plaintiff should also provide a courtesy copy of the unredacted brief and exhibits to chambers.

Accordingly, it is now

**ORDERED:**

- (1) Plaintiff's Motion to Compel Discovery (Doc. #54) is **DENIED without prejudice**.
- (2) Plaintiff's Motion to Compel Discovery (Doc. #51) is a duplicate of Doc. #54 and is therefore **DENIED AS MOOT**.

**DONE AND ORDERED** at Fort Myers, Florida, this 13th day of July, 2010.

  
SHERI POLSTER CHAPPELL  
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record