

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

IVANONNA PUELLO,

Plaintiff,

-vs-

Case No. 2:09-cv-485-FtM-99SPC

EAGLE CONCRETE SYSTEMS, INC. a Florida  
profit corporation; MICHAEL J. LEANNAH  
individually; CARMEL M. LEANNAH  
individually,

Defendants.

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**ORDER**

This matter comes before the Court on the Plaintiff, Ivanona Puello's Motion to Compel the Plaintiff's First Set of Interrogatories (Doc. #22) filed on July 12, 2010. The Federal Rules state that, "[t]he party upon whom the request [for production] is served shall serve a written response within 30 days after the service of the request." Fed. R. Civ. P. 34(b). On August 24, 2010, the Court enlarged (Doc. # 29) the time to file time for the Defendant to file its answers to the discovery up to and including September 23, 2010. On September 23, 2010, the Defendant filed its Memorandum in Response to Motion to Compel (Doc. #30) indicating the responses have been filed. Therefore, the Motion is now Moot.

Accordingly, it is now

**ORDERED:**

The Plaintiff, Ivanona Puello's Motion to Compel the Plaintiff's First Set of Interrogatories  
(Doc. #22) is **DENIED as moot**.

**DONE AND ORDERED** at Fort Myers, Florida, this 23rd day of September, 2010.

  
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SHERI POLSTER CHAPPEL  
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record