

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

GULF BAY CAPITAL, INC.,

Plaintiff,

v.

Case No: 2:14-cv-209-FtM-29CM

TEXTRON FINANCIAL
CORPORATION,

Defendant.

ORDER

Before the Court is Plaintiff's Motion to Compel Production of Documents by Defendant (Doc. 29), filed on May 7, 2015. Plaintiff seeks to compel production of documents responsive to its Requests for Production numbered 5-8. Defendant objects to production on grounds that the information requested is neither relevant nor reasonably calculated to lead to discovery of admissible evidence, and even if the information is found to be relevant, producing the documents and information requested would subject Defendant to unreasonable burden.

The undersigned held a telephonic hearing on Plaintiff's motion on July 16, 2015. Doc. 38. For the reasons stated on the record, the Court overrules in part Defendant's objection as to relevance of the requested information. Plaintiff's motion will be granted in part, to the extent that the Court finds that at least some of the requested information is relevant to Plaintiff's claims as set forth in the Complaint. Based on the limited information available to both the Court and the parties at this time, the Court makes no finding as to the scope of Plaintiff's requests.

Instead, Defendant has agreed to provide a summary of the requested information for Plaintiff's review. Following Defendant's provision of the summary, the parties have agreed to confer and establish a mutually agreeable discovery plan and production schedule, which the Court hopes will allow the parties to narrow the scope, if necessary, without further judicial intervention. Should the parties require additional assistance, they may file an appropriate motion with the Court.

ACCORDINGLY, it is hereby

ORDERED:

Plaintiff's Motion to Compel Production of Documents by Defendant (Doc. 29) is **GRANTED in part**. Production of the requested material initially will be limited as stated on the record and accomplished according to a schedule agreed upon by the parties within the discovery period established by the Case Management and Scheduling Order (Doc. 15).

DONE and **ORDERED** in Fort Myers, Florida on this 17th day of July, 2015.


CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record