

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

IN RE: FIDDLER'S CREEK, LLC

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FIDDLER'S CREEK, LLC,

Plaintiff,

v.

Case No: 2:14-cv-379-FtM-29CM

NAPLES LENDING GROUP LC  
and DANIEL CARTER,

Defendants/Third  
Party Plaintiff

AUBREY FERRAO, ANTHONY  
DINARDO and WILLIAM  
REAGAN,

Third Party Defendants.

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**ORDER**

Before the Court are Plaintiff's Motion to Quash a Limited Portion of Third Party Subpoenas Issued by Defendants, or, in the Alternative, Motion for Protective Order Regarding Such Limited Portion of Third Party Subpoenas ("Motion to Quash") (Doc. 237) and Plaintiff's Motion for Leave to File Reply to Defendants' Opposition to Plaintiff's Motion to Quash Portions of Non-Party Subpoenas ("Motion for Reply") (Doc. 244). Defendants filed responses in opposition to the Motion to Quash and Motion for Reply. Docs. 241, 247.

The Court held a discovery hearing on April 27, 2016 and heard extensive argument on the motions and other discovery issues. For the reasons stated on the

record, Plaintiff's motions are denied. The parties also discussed pending issues with financial worth discovery issued to Defendant Daniel Carter related to Plaintiff's punitive damages claim and Defendants Naples Lending Group, LC's and Daniel Carter's subpoena to Tobin & Reyes, PA. The Court declines to address these issues at this time, as the Court does not have sufficient briefing to make a ruling. The parties may address these issues by further motions if not otherwise resolved (which the Court encourages the parties to continue to attempt to do), bearing in mind the upcoming discovery deadline of May 31, 2016.

ACCORDINGLY, it is hereby

**ORDERED:**

1. Plaintiff's Motion to Quash a Limited Portion of Third Party Subpoenas Issued by Defendants, or, in the Alternative, Motion for Protective Order Regarding Such Limited Portion of Third Party Subpoenas (Doc. 237) is **DENIED**. Furthermore, Plaintiff is directed to produce the documents it received in response to the subpoena issued to Cohen Financial.

2. Plaintiff's Motion for Leave to File Reply to Defendants' Opposition to Plaintiff's Motion to Quash Portions of Non-Party Subpoenas (Doc. 244) is **DENIED**.

**DONE** and **ORDERED** in Fort Myers, Florida on this 28th day of April, 2016.

  
CAROL MIRANDO  
United States Magistrate Judge

Copies:  
Counsel of record