

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

NATIONAL UNION FIRE
INSURANCE COMPANY OF
PITTSBURGH, PA, as subrogee of
Kevin Adell and Adell Properties, LLC

Plaintiff,

v.

Case No: 2:18-cv-153-FtM-99CM

CLASSIC YACHT SERVICE, INC.,
DAN B. HOUSE and JUBILEE
SERVICES, LLC,

Defendants.

ORDER

This matter comes before the Court upon review of Plaintiff's Motion to Compel Discovery Against Jubilee Services, LLC, and Memorandum of Law filed on September 13, 2018. Doc. 46. Defendant Jubilee Services, LLC ("Jubilee") has not filed a response in opposition, and the time for doing so has passed. Failure to file a response creates a presumption that the motion is unopposed. *Great American Co. v. Sanchuk, LLC*, No. 8:10-cv-2568-T-33AEP, 2012 WL 195526, at *3 (M.D. Fla. Jan. 23, 2012) (citation omitted). The motion is now ripe for review.

Plaintiff served Jubilee with a Rule 34 Request for Production of Documents and Rule 33 Interrogatories on or about July 6, 2018. Doc. 46 at 2. Jubilee's responses were due on or before August 6, 2018. *Id.* Jubilee filed an Unopposed Motion for Extension of Time to Respond to Plaintiff's Discovery Requests on August 7, 2018. Doc. 35. The Court denied Jubilee's motion as moot as the parties were

not required to file a motion with the Court if they agreed on the proposed extension. Doc. 39. The parties thereafter agreed to an extension of Jubilee's response deadline until September 7, 2018. Doc. 46 at 2. To date, Jubilee has not responded to Plaintiff's discovery requests, nor has Jubilee moved for a protective order or sought any other relief from the Court. *See id.* Because Jubilee has failed to respond to the discovery requests or assert any objections thereto, any such objections are waived. *Limu Co., LLC v. Burling*, No. 6:12-cv-347-Orl-TBS, 2013 WL 1482760, at *1 (M.D. Fla. Apr. 11, 2013). Further, Jubilee failed to provide any opposition to the present motion. Accordingly, the Court will grant Plaintiff's motion. Jubilee shall have up to and including **October 5, 2018** to respond to Plaintiff's Request for Production of Documents and Interrogatories. Jubilee is advised that failure to comply with this Order could result in sanctions.

ACCORDINGLY, it is

ORDERED:

Plaintiff's Motion to Compel Discovery Against Jubilee Services, LLC, and Memorandum of Law (Doc. 46) is **GRANTED**. Jubilee shall have up to and including **October 5, 2018** to respond to Plaintiff's Request for Production of Documents and Interrogatories.

DONE and **ORDERED** in Fort Myers, Florida on this 28th day of September,
2018.


CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record