

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

Case No: 5:13-cv-455-Oc-10PRL

**JENIFER E. HOFFMAN, JOHN C.
BOSCHERT and BRYAN T. ZUZGA**

Defendants.

ORDER

This matter is before the Court on Plaintiff's motion to compel Defendants Jenifer E. Hoffman and John C. Boschert to comply with their discovery obligations. (Doc. 35). Defendants have failed to respond to the instant motion and their time to do so has expired.

Pursuant to the parties' Case Management Report (Doc. 26), as confirmed by the Case Management and Scheduling Order (Doc. 28), the deadline for the parties to exchange Fed.R.Civ.P. Rule 26(a) Initial Disclosures was February 14, 2014. Because Defendants failed to timely serve their Initial Disclosures, on February 24, 2014, Plaintiff's counsel emailed Defendants reminding them of the passed deadline. (Doc. 35-1). Defendants did not respond to the email nor did they provide their Initial Disclosures.

Then, on February 25, 2014, Plaintiff served its Requests for Production of Documents on Defendants, with responses due by March 31, 2014. (Docs. 35-2, 35-3). On April 2, 2014, after receiving no response, counsel for Plaintiff emailed Defendants advising that their Initial Disclosures and responses to the Requests for Production of Documents were past due and that he

would be seeking relief from the Court. (Doc. 35-4). Once again, Defendants did not respond to the email nor did they provide responses to the discovery requests.¹ Accordingly, Plaintiff moves the Court for an Order compelling discovery responses from Defendants.

Because Defendants have failed to serve Rule 26(a) Initial Disclosures, and responses to Plaintiff's Request for Production of Documents, Plaintiff's motion to compel (Doc. 35) is hereby **GRANTED**. On or before **June 6, 2014**, Jenifer E. Hoffman and John C. Boschert shall serve their Rule 26(a) Initial Disclosures, and shall produce all documents responsive to Plaintiff's Requests for Production of Documents.

Although Defendants are proceeding *pro se*, their failure to participate in the discovery process will not be tolerated. Defendants are cautioned that the failure to comply with this Order will likely result in the imposition of sanctions. Notably, resources and information related to proceeding in court without a lawyer, including a handbook entitled Guide for Proceeding Without a Lawyer, can be located on the Court's website (http://www.flmd.uscourts.gov/pro_se/default.htm).

DONE and ORDERED in Ocala, Florida on May 23, 2014.



PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties

¹ Plaintiff's counsel represents that both Defendants have engaged in email correspondence with him on other subjects; and thus, he has no reason to believe that they did not receive his discovery-related emails.