

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

CHRISTEN WILLIFORD,

Plaintiff,

v.

Case No: 5:16-cv-734-Oc-34PRL

**ARLINGTON RIDGE RESTAURANT
MANAGEMENT LLC**

Defendant.

ORDER

This case, brought under the Fair Labor Standards Act, 29 U.S.C. § 209 et seq., was removed to this Court pursuant to 28 U.S.C. §§ 1331 and 1441, and is now before the Court on Defendant's unopposed motion for entitlement to reasonable expenses, including attorney's fees. (Doc. 18).


Previously, Defendant moved to compel responses to its First Set of Interrogatories and First Request for Production because Plaintiff had not provided any responses nor any communication regarding the requested discovery. (Doc. 11). Further, Plaintiff failed to file a response to Defendant's motion to compel. Accordingly, the Court granted Defendant's motion to compel, directed Plaintiff to serve her responses to Defendant's First Set of Interrogatories and Defendant's First Request for Production, and to produce all documents responsive to the production request. (Doc. 14). The Court further noted that, "given Plaintiff's failure to respond to the discovery requests and failure to file any response to Defendant's motion to compel, it appears that Defendant is likely entitled to its reasonable expenses incurred in making the motion,

including attorney's fees, as provided in Rule 37(a)(5)." Defendant was permitted 14 days within which file an appropriate motion detailing those expenses. (Doc. 14).

Meanwhile, Defendant requested and received an extension of time to file its motion. (Docs. 16 & 17). Defendant now represents that Plaintiff is not opposed to Defendant's entitlement to reasonable expenses, including attorney's fees, and that the parties are communicating to reach an agreement about the amount of reasonable expenses, including attorney's fees. (Doc. 18). Defendant requests that the Court enter an order entitling Defendant to its reasonable expenses, including attorney's fees. Defendant recites that the parties will continue to try to reach an agreement about the amount of reasonable expenses, including attorney's fees, but if they are unable to agree, Defendant will file appropriate documentation.

Accordingly, upon due consideration, Defendant's motion (Doc. 18) is **GRANTED** to the limited extent that, if it becomes necessary due to the parties' inability to reach an agreement, Defendant shall be permitted an extension of time until **October 20, 2017** within which to file an appropriate motion detailing those expenses, following which Plaintiff shall respond within 14 days.

DONE and ORDERED in Ocala, Florida on September 22, 2017.


PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties