

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

BGX E-HEALTH LLC,

Plaintiff,

v.

Case No: 6:21-cv-1022-WWB-LHP

DARREN NEIL MASTERS, GRANITE
INVESTMENT GLOBAL US LLC, SN-
SCP LLC and CW FINANCIAL
CONSULTING LLC,

Defendants

ORDER

This cause came on for consideration without oral argument on the following motion filed herein:

MOTION: PLAINTIFF'S MOTION TO COMPEL (Doc. No. 73)

FILED: August 21, 2023

THEREON it is ORDERED that the motion is GRANTED.

On May 9, 2023, the Court granted Plaintiff's Third Renewed Motion for Final Default Judgment against Defendants Darren Neil Masters, Granite Investment Global US LLC, SN-SCP LLC, and CW Financial Consulting LLC, jointly and

severally, in the amount of \$11,564,520.00 in damages plus prejudgment and post-judgment interest and \$402.00 in costs. Doc. Nos. 59, 61. The Court further ordered these Defendants to complete a Form 1.977 Fact Information Sheet and all required attachments within 45 days of entry of judgment. Doc. No. 61, at 2. Judgment was entered on May 10, 2023 (Doc. No. 62), making the deadline for these Defendants to complete the Form 1.977 Fact Information Sheet and attachments on or about June 24, 2023.

By the present motion, Plaintiff states that to date, these Defendants have not served a completed Form 1.977 or any other required documentation. Doc. No. 73. As such, Plaintiff requests an order compelling these Defendants to complete and serve Form 1.977 and all required attachments upon Plaintiff and show cause why these Defendants should not be held in civil contempt. *Id.*, at 3.

Upon review, the motion (Doc. No. 73) shall be denied without prejudice. First, there is no evidence that a Form 1.977 Fact Information Sheet and attachments has ever been served on any of the Defendants at issue, and Plaintiff does not address this in its motion. Given that many of these Defendants never appeared in the case, it is unclear how Plaintiff made Defendants aware of their obligations to complete Form 1.977. Second, Plaintiff's Local Rule 3.01(g) certification is lacking. Simply stating Plaintiff's counsel "has been unable to confer" with these Defendants, who are unrepresented, does not provide any of the information

required in Local Rule 3.01(g), nor complies with Rule 3.01(g)(3). And Plaintiff provides no legal authority even suggesting that Local Rule 3.01(g) does not apply to unrepresented and/or defaulted parties. Third, as the Court noted in a separate order (Doc. No. 74), Defendant Granite Investment Global US LLC's corporate representative since April 7, 2022 is now Eric T. Salpeter, Esq., and Plaintiff's certificate of service in the present motion merely states that the motion was served on all Defendants at Darren Neil Master's address in Naples, Florida. Thus, it is unclear whether service of the present motion has been properly effectuated.

For these reasons, Plaintiff's Motion to Compel (Doc. No. 73) is **DENIED WITHOUT PREJUDICE**. Any renewed motion must address the issues raised in this Order, with citation to appropriate legal authority.

DONE and ORDERED in Orlando, Florida on November 14, 2023.



LESLIE HOFFMAN PRICE
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties