

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

**JAMESON LAND COMPANY, LLC,**

**Plaintiff,**

v.

**Case No.: 8:15-cv-409-T-27AAS**

**MOSAIC FERTILIZER, LLC,**

**Defendant.**

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**ORDER**

Before the Court is Plaintiff's Motion to Overrule Defendant's Objections and Motion to Compel Responses to Discovery (Doc. 43) (hereinafter referred to as "Plaintiff's Motion to Compel") and Defendant's Response in Opposition to Plaintiff's Motion to Compel (Doc. 46).<sup>1</sup> On September 21, 2016, the parties appeared before the undersigned for oral argument of the matter.

For the reasons stated at the hearing, it is **ORDERED** that Plaintiff's Motion to Compel (Doc. 43) is **GRANTED in part and DENIED in part** as follows:

(1) With respect to Plaintiff's Interrogatory Number 13 (Doc. 43-4, p. 32), Plaintiff's Motion to Compel is **GRANTED** to the extent that Defendant must provide an index identifying produced documents containing information responsive to Plaintiff's interrogatory, which is reformulated by the Court as follows: "Identify all persons who have made any representations to a government agency regarding the ownership of the Property since January 1, 2010, and identify

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<sup>1</sup> The Court notes that Plaintiff's counsel did not properly confer with Defendant's counsel pursuant to Local Rule 3.01(g) prior to the filing of this Motion. In the future, any motion that fails to comply with the requirements of Local Rule 3.01(g) may be summarily denied. The Court strongly encourages the parties to speak in person or over the telephone about all issues presented before a motion is filed. *See Middle District Discovery* (2015) at I.(A)(2). ("The term 'confer' in Rule 3.01(g) means a substantive discussion.").

all documents related thereto.” Defendant shall provide said index no later than **Friday, September 30, 2016.**<sup>2</sup>

(2) In all other respects, Plaintiff’s Motion to Compel (Doc. 43) is **DENIED.**

**DONE AND ORDERED** in Tampa, Florida on this 21st day of September, 2016.

*Amanda Arnold Sansone*

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AMANDA ARNOLD SANSONE  
United States Magistrate Judge

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<sup>2</sup> Plaintiff’s counsel generally represented at the hearing that there may be deposition testimony from this case that is responsive to this request; however, Defendant is not required to locate and index the deposition testimony as the testimony is equally available to Plaintiff and Defendant.