

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SCRAP KING LLC,

Plaintiff/Counterclaim-Defendant,

v.

Case No. 8:18-cv-733-T-35AEP

STERICYCLE, INC.,

Defendant/Counterclaim-Plaintiff

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ORDER

This cause is before the Court upon Plaintiff's Motion to Compel Production of Documents (Doc. 41) and Defendant's Response in Opposition (Doc. 48). For the reasons stated at the hearing held before the Court on April 22, 2019, Plaintiff's Motion is GRANTED IN PART and DENIED IN PART, to the extent that:

1. Plaintiff may obtain discovery from the Defendant, whether in the form of production requests, depositions, or interrogatories, limited and narrowly tailored as to the Defendant's e-mail and records (*e.g.* manifests) retention policies.
2. Plaintiff's Request for Production No. 13 is GRANTED to the extent that upon a request from Plaintiff based upon a manifest in Plaintiff's possession the Defendant shall produce the name of the customer associated with the manifest, along with the retention policy for the records pertaining to that customer.
3. The Defendant shall produce any responsive discovery as to the remaining discovery requested in Plaintiff's Motion.

4. To the extent that the Defendant withheld certain communications on the basis of privilege, the Defendant shall provide a privilege log on or before May 13, 2019.
5. Plaintiff's request for sanctions for spoliation of evidence is DENIED WITHOUT PREJUDICE.

DONE AND ORDERED in Tampa, Florida, on this 23rd day of April, 2019.



ANTHONY E. PORCELLI
United States Magistrate Judge

cc: Counsel of Record