

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

RAYMOND RODRIGUEZ,

Plaintiff,

v.

Case No. 8:22-cv-02101-KKM-AAS

CITY OF GULFPORT,

Defendant.

_____ /

ORDER

Defendant City of Gulfport (Gulfport) requests an order compelling Plaintiff Raymond Rodriguez to respond to Gulfport's Interrogatories and Requests for Production. (Doc. 46). Mr. Rodriguez did not respond to Gulfport's motion within the fourteen days permitted by this court's Local Rules. *See* Local Rule 3.01(c), M.D. Fla. ("If a party fails to timely respond, the motion is subject to treatment as unopposed.").

Rule 37(a)(2)(B) of the Federal Rules of Civil Procedure allows a party to move for an order compelling discovery if another party fails to respond to interrogatories submitted under Rule 33 or to a document request submitted under Rule 34. Mr. Rodriguez failed to respond to Gulfport's written discovery requests and Gulfport's motion to compel.

Accordingly, it is **ORDERED**:

(1) Gulfport's motion to compel (Doc. 46) is **GRANTED**. By **December 1, 2023**, Mr. Rodriguez must serve written responses to Gulfport's Interrogatories and Request for Production.

(2) Gulfport's reasonable attorney's fees and expenses incurred in bring this motion are awarded against Mr. Rodriguez. *See* Fed. R. Civ. P. 37(a)(5)(A) ("If the motion [to compel] is granted . . . the court must . . . require the party or deponent whose conduct necessitated the motion . . . to pay the movant's reasonable expenses incurred in making the motion, including attorney's fees."). Gulfport may file a motion requesting a specific reasonable amount of attorney's fees and expenses and must support the request with documentation (i.e., an affidavit, time entries, and receipts for expenses).

(3) Gulfport's request to extend case management deadlines (Doc. 46) is **DENIED without prejudice**. By **November 4, 2023**, Gulfport must file a notice outlining any efforts Mr. Rodriguez has made to comply with this order and provide discovery responses.

(4) The Clerk is **DIRECTED** to send a copy of this order and the underlying motion by mail to Mr. Rodriguez at 5322 26th Avenue South, Gulfport, Florida 33707, and by email to Mr. Rodriguez at captray44@gmail.com.

ENTERED in Tampa, Florida on November 15, 2023.

A handwritten signature in black ink that reads "Amanda Arnold Sansone". The signature is written in a cursive style with a large initial 'A'.

AMANDA ARNOLD SANSONE
United States Magistrate Judge