

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION**

**DUKE F. CRANFORD,**

**Plaintiff,**

**vs.**

**CASE NO. 1:09CV70-MP/AK**

**A. D. HAMMACK, et al,**

**Defendants.**

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**ORDER**

Plaintiff has filed a motion to compel (doc. 52), supplemented with the actual requests, (doc. 54), which he contends were served upon Defendants on October 20, 2009, and to which no responses have been made. Defendants have not responded to the motions to compel either.

Defendants' failure to file timely objections to Plaintiff's Requests for Production of Documents constitutes a waiver of the objections, and Defendants must provide all requested documents which are within their possession, custody or control within the meaning of Fed. R. Civ. P. 34(a). Peat, Marwick, Mitchell & Co. v. West, 748 F.2d 540 (10 Cir. 1984), pet. for cert. dismiss. 469 U.S. 1199 (1985); Perry v. Golub, 74 F.R.D. 360,

363 (N.D. Ala. 1976). This includes any objection based on privilege. Golub, 74 F.R.D. at 363.

Plaintiff has also moved for a pretrial conference (doc. 55), which the Court denies. There is no need for a conference at this point in the proceedings.

Accordingly, it is

**ORDERED:**

1. That Plaintiff's Motions to Compel (docs. 52 and 54) are **GRANTED**.
2. Defendants shall within ten (10) days of the date of this order produce documents responsive to Plaintiff's Request for Production of Documents served upon them on October 20, 2009, without objections.
3. Plaintiff's Motion for Pretrial Conference (doc. 55) is **DENIED**.

**DONE AND ORDERED** this 28th day of December, 2009.

s/ A Kornblum  
**ALLAN KORNBLUM**  
**UNITED STATES MAGISTRATE JUDGE**