

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

COTTIE ANN WRIGHT,

Plaintiff,

v.

CASE NO. 1:10-cv-00155-SPM-GRJ

STATE FRAM AUTOMOBILE
INSURANCE COMPANY, a foreign
corporation,

Defendant.

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ORDER

Pending before the Court is Plaintiff's Motion To Compel Discovery From Defendant. (Doc. 23.) Plaintiff requests the Court to enter an order compelling Defendant to provide answers to Plaintiff's expert interrogatories and to produce documents in response to Plaintiff's request for production. Defendant has not filed a response to the motion and the time for doing so has long since passed.

Plaintiff's motion concerns two distinct discovery requests. First, Plaintiff requests that Defendant provide more complete responses to Plaintiff's expert interrogatories nos. 2, 3 and 4, each of which request information concerning prior testimony provided by Defendant's expert, Wagdi Faris, and previous instances in which Dr. Faris has provided compulsory medical examinations for Defendant. Although Defendant has provided responses to the interrogatories Plaintiff contends that the responses are incomplete and/or not completely responsive to the interrogatory.

The second discovery request addressed in Plaintiff's motion concerns Plaintiff's request for production of documents. Apparently, when Defendant responded to the

request it objected to the production of eight color photographs of Plaintiff's vehicle on the basis of work product privilege. Plaintiff points out that Defendant has now listed the same photographs as exhibits which may be offered into evidence and, therefore, to the extent the photographs were protected by the work product privilege, the photographs are no longer protected as work product.

Defendant has failed to offer any response to Plaintiff's arguments and therefore the Court assumes that Defendant does not have any meaningful arguments for the Court to consider. While there may be some issue as to whether the responses to the expert interrogatories were complete, in the absence of any response the Court must conclude that the motion to compel is due to be granted.

Upon due consideration, it is **ORDERED** that:

- (1) Plaintiff's Motion To Compel Discovery From Defendant (Doc. 23) is **GRANTED**.
- (2) Within **ten (10) days** of the date of this Order, Defendant shall provide full and complete responses to Plaintiff's Expert Interrogatories nos. 2, 3 & 4 and shall produce the eight color photographs of Plaintiff's vehicle.

DONE AND ORDERED this 7th day of February, 2011.

s/ Gary R. Jones

GARY R. JONES
United States Magistrate Judge