

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

KARL W. SHOCK,  
Plaintiff,

v.

Case No. 3:08cv304/RV/EMT

AEROSPACE INTEGRATION  
CORPORATION,  
Defendant.

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**ORDER**

This cause is before the court upon Plaintiff's Motion to Compel Discovery and Defendant's response thereto (Docs. 41, 43).

Plaintiff contends that Defendant has failed to respond to numerous requests for production of documents ("RFPs") (*see* Doc. 41). Plaintiff states, however, that although Defendant raised general objections to many of Plaintiff's discovery requests, Defendant agreed to provide the documents at a "mutually-agreeable time, date, and place, or will provide photocopies of such documents at plaintiff's request" (*id.* at 6). Plaintiff now seeks an order compelling Defendant to respond to the RFPs and seeks an award of expenses associated with the filing of the instant motion (*id.* at 8).

In response to Plaintiff's motion, Defendant asserts that Plaintiff's motion was filed "solely to harass defense counsel," and Defendant implies that the matters raised in Plaintiff's motion have been resolved (*see* Doc. 43).

Because Defendant's response suggests that some, if not all, of the issues raised in Plaintiff's motion to compel have been resolved, Plaintiff shall be required to file a notice with the court indicating which, if any, issues remain in dispute and require resolution by the court. In the alternative, if any issues remain unresolved, Plaintiff shall file an amended motion to compel

including only those issues that remain in dispute.<sup>1</sup>

Accordingly, it is **ORDERED** that:

On or before **TUESDAY, FEBRUARY 24, 2009**, Plaintiff shall file a notice with the court indicating which, if any, of the issues raised in Plaintiff's motion to compel remain in dispute. Alternatively, and within the same time, Plaintiff shall file an amended motion to compel.

**DONE AND ORDERED** this 18<sup>th</sup> day of February 2009.

*/s/ Elizabeth M. Timothy*

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**ELIZABETH M. TIMOTHY**  
**UNITED STATES MAGISTRATE JUDGE**

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<sup>1</sup>Plaintiff's notice or amended motion should not include matters related to Defendant's request for "proper damages computations," that is the subject of another motion to compel presently under advisement by the undersigned (*see* Docs. 39, 44).