

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
PANAMA CITY DIVISION

ONSITE HEALTHCARE  
SERVICES, INC.,

Plaintiff,

v.

CASE NO. 5:10-cv-237-RS -GRJ

CASSI LAYNE, TONY LAYNE  
and SENIOR DENTAL CARE, LLC,

Defendants.

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**ORDER**

Pending before the Court is Defendants' Motion To Compel, Motion For Sanctions And Motion To Exclude (Doc. 34) to which Plaintiff has filed a Response. (Doc. 37.) Defendants request the Court to enter an order compelling Defendants to produce certain documents and awarding sanctions against Plaintiff including excluding documents, testimony and witnesses. Plaintiff has filed a response addressing the particular discovery requests in dispute. In addition Plaintiff points out that because there was insufficient time for counsel to meet and confer before the motion was filed a number of issues in dispute were not resolved that could have and should have been resolved by the parties. As a general practice the Court would have directed the parties to meet and confer (again) before Court intervention. However, based upon the nature of the disputed issues the Court determines that the most efficient method of addressing the motion is through a telephonic hearing.

Accordingly, a **telephonic** hearing to address the above referenced motion is scheduled before Magistrate Judge Gary R. Jones on **Thursday, March 31, 2011 at**

**10:30 AM** (Eastern Day Light Savings Time). Counsel for Defendants shall initiate the conference call through the use of a conference call operator and when all counsel are on line and ready to proceed the undersigned should be contacted at (352) 380-2413.<sup>1</sup>

Because the parties have not conferred in good faith to address all of the issues in the motion to compel the parties are directed to do so prior to the hearing in an effort to narrow the issues in dispute. In the event the Court must address any discovery issue at the telephonic hearing, about which the parties have not conducted a good faith conference to resolve, the Court will award attorney's fees to the party who prevails.

Any scheduling changes should be directed to the undersigned's courtroom deputy, Adelita Tinaya-Miller at (352) 380-2402.

**DONE AND ORDERED** this 24<sup>th</sup> day of March, 2011.

s/ Gary R. Jones  
GARY R. JONES  
United States Magistrate Judge

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<sup>1</sup> The quality of the audioconference is compromised by the use of cell phones or speaker phones and counsel are requested not to use those devices during the call.