

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 08-61181-CV-DIMITROULEAS/ROSENBAUM

ALLISON SMITH,

Plaintiff,

v.

MAMA FU'S HOLLYWOOD, LLC,

Defendant.

ORDER

This matter is before the Court upon Plaintiff's Motion to Compel Defendant's Responses to Plaintiff's First Set of Interrogatories and First Request for Production [D.E. 12]. On January 14, 2009, this Court entered an Order to Show Cause directing Defendant Mama Fu's Hollywood, LLC ("Mama Fu's), to show cause in writing why Plaintiff's Motion to Compel should not be granted for the reasons set forth therein. *See* D.E. 16. Mama Fu's filed its Response to the Order to Show Cause and Plaintiff's Motion to Compel on January 22, 2009 [D.E. 17]. In that Response, Mama Fu's states that it has served its responses to the discovery requests at issue and suggests that Plaintiff's Motion to Compel has, therefore, become moot. While the Court previously advised the parties in its Order to Show Cause that Plaintiff had the option of filing a reply brief, based on Mama Fu's response, the Court now directs Plaintiff to file a reply brief indicating whether it is continuing to pursue its Motion to Compel, and, if so, the remaining basis for the Motion. Plaintiff shall file its

reply brief by no later than **Monday, February 2, 2009, at 5:00 p.m.**

DONE AND ORDERED this 23rd day of January, 2009.

A handwritten signature in black ink, reading "Robin S. Rosenbaum". The signature is written in a cursive style with a large initial "R".

ROBIN S. ROSENBAUM
UNITED STATES MAGISTRATE JUDGE

cc: Hon. William P. Dimitrouleas
Counsel of Record