

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 15-62581-MC-MORENO/O'SULLIVAN

FLIP FACE U.S.A., LLC
a Florida Limited Liability Company,
and FLIP FACE, INC., a Foreign Corporation,
Plaintiffs,

vs.

ALEXANDRIA MOULDING, INC.,
a Washington Corporation, and
MOULURE ALEXANDRIA MOULDING,
INC., a Canadian Corporation,
Defendants.

_____ /

ORDER

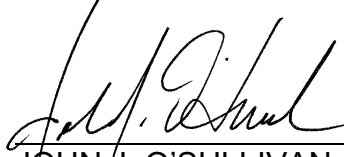
THIS MATTER is before the Court on the Non-Party Home Depot USA, Inc.'s Motion to Transfer, Motion to Quash, and Request for Related Fees and Expenses (DE # 1, 12/9/15). Having reviewed the applicable filings and law, the undersigned enters the following Order.

The underlying action in this case is proceeding in the Northern District of Georgia. The Court in Georgia has ruled on discovery motions directly related to the dispute between the parties in the matter before this Court. The corporate headquarters for the non-party, Home Depot, is located in the Northern District of Georgia, and Home Depot has requested that this Motion be transferred to the Northern District of Georgia. Federal Rule of Civil Procedure 45(f) states that a court "may transfer a motion under this rule to the issuing court, if the person subject to the subpoena consents". Rule 45(f) is designed to protect the interests of the non-party. It is clear that this matter should be transferred to the Northern District of Georgia.

Accordingly, it is

ORDERED AND ADJUDGED that the Non-Party Home Depot USA, Inc.'s Motion to Transfer, Motion to Quash, and Request for Related Fees and Expenses (DE # 1, 12/9/15) is GRANTED in part in accordance with this Order, and this matter shall be transferred to the Northern District of Georgia to be associated with Flip Face U.S.A., LLC, et al v. Alexandria Moulding, et al, Case No. 1:15-cv-883-MHC (Northern District of Georgia).

DONE AND ORDERED in Chambers at Miami, Florida this 5th day of April, 2016.



JOHN J. O'SULLIVAN
UNITED STATES MAGISTRATE JUDGE

Copies to:
U.S. District Judge Moreno
All counsel of record