UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 07-21489-CIV-UNGARO/SIMONTON

GREAT AMERICAN INSURANCE
COMPANY,

      Plaintiff,

v.

GENERAL CONTRACTORS &
CONSTRUCTION MANAGEMENT,
INC., et al.,

      Defendants.

                            /

ORDER GRANTING IN PART, BY DEFAULT, PLAINTIFF'S MOTION TO COMPEL AGAINST AK KG INVESTMENT AND MANAGEMENT

Presently before the Court is Plaintiff Great American Insurance Company's Motion To Compel Against AK KG Investment and Management (hereafter AK KG) (DE # 192). This motion is referred to the undersigned Magistrate Judge (DE # 198).
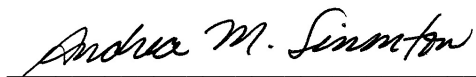
In its motion, Plaintiff states that AK KG has failed to produce the documents which Plaintiff has subpoenaed, returnable August 22, 2008. Plaintiff further states that Defendant Niroomand-Rad is the principal officer/director of AK KG. Plaintiff therefore asks this Court to enter an order: 1) compelling AK KG to provide all documents responsive to Plaintiff's subpoena and 2) to award Plaintiff its reasonable attorneys' fees and costs incurred in connection with the prosecution of this motion, pursuant to Fed.R.Civ.P. 37(a)(4)(A) (DE # 192 at 5). AK KG has not filed a response in opposition to the motion, and the last day to timely file a response to the motion was September 12, 2008.

Therefore, pursuant to Local Rule 7.1 C., it is hereby

ORDERED AND ADJUDGED that Plaintiff Great American Insurance

Company's Motion To Compel Against AK KG Investment and Management (DE # 192), is

GRANTED by default. On or before October 6, 2008, AK KG must provide Plaintiff

with the documents responsive to Plaintiff's subpoena. It is further

ORDERED AND ADJUDGED that Plaintiff's request for sanctions, made

pursuant to Fed.R.Civ.P. 37(a)(4)(A) (DE # 193), is **DENIED without prejudice to**

renew if AK KG does not comply with this Order.

DONE AND ORDERED in chambers in Miami, Florida on September 24, 2008.

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ANDREA M. SIMONTON
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:
The Honorable Ursula Ungaro,
**   United States District Judge**
All counsel of record