

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

AUGUSTA DIVISION

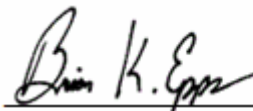
RESOLUTE FP AUGUSTA, LLC,)	
)	
Plaintiff,)	
)	
v.)	CV 117-147
)	
)	
SFC CONTRACT SERVICES OF)	
GEORGIA, LLC, and ALL-SAFE)	
INDUSTRIAL SERVICES, INC.,)	
)	
Defendant.)	

ORDER

For the reasons discussed at the July 18, 2018 phone conference, the Court **GRANTS** Plaintiff's Motion for Leave to Conduct Destructive Testing (doc. no. 33) subject to the following conditions: (1) the parties will finalize the testing protocol quickly and inform the Court of any lingering disputes as soon as they are apparent; (2) the parties shall conduct the testing expeditiously; (3) the testing will not result in postponement of any deadlines or trial; (4) defense attorneys and experts may attend the testing; (5) Defendants may take high-resolution photographs of the bolt before testing occurs; (6) expert depositions regarding the testing, if any, shall occur as soon as possible after the test results are finalized and published; and (7) the parties may challenge by Daubert motion any expert opinions related to the testing.

Concerning the disputed claim by Plaintiff of work product privilege for witness interview notes, the parties agreed as follows: (1) Defendant All-Safe shall provide Plaintiff with a list of “I don’t know” deposition responses by July 23, 2018; (2) Plaintiff shall provide relevant excerpts from the interview notes of the deponent, explain there is no relevant excerpt from the interview notes of the deponent, or stand on the work product objection by July 31, 2018; and (3) Plaintiff shall file a motion to compel regarding any remaining issues, notify the Court by email of the need for a telephone conference to resolve any remaining issues, or notify the Court by email of a full and complete resolution of all issues, by August 3, 2018.

SO ORDERED this 18th day of July, 2018, at Augusta, Georgia.



BRIAN K. EPPS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA