

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

CUSTOM BLENDING AND PACKAGING)
OF ST. LOUIS, LLC,)
)
Plaintiff,)
)
V.)
)
STEVEN MOSER, JR., et al.,)
)
Defendants.)

Civil No. **08-592-DRH**

ORDER

PROUD, Magistrate Judge:

Before the Court is plaintiff’s motion to compel defendant Dennis Howard Litz to correctly respond to plaintiff’s Interrogatory No. 3, which requests that Litz identify his cellular telephone service providers for the time period of October 1, 2007, through July 1, 2008, along with each carrier’s name, address and the telephone number assigned to Litz. **(Doc. 96.)** According to plaintiff, Litz has previously identified AT&T and Verizon Wireless, but both those carriers have informed plaintiff’s counsel that they were not Litz’s carrier during the relevant time period. Defendant Litz has not filed a response to the subject motion.

IT IS HEREBY ORDERED that the subject motion to compel **(Doc. 96)** is **GRANTED**. On or before **July 30, 2010**, defendant Dennis Howard Litz shall provide plaintiff with the name and address of his cellular telephone service providers for the time period of October 1, 2007, through July 1, 2008, along with each carrier’s name, address and the telephone number assigned to Litz, as requested in plaintiff’s Interrogatory No. 3. Failure to fully and truthfully comply with this Order will result in the imposition of sanctions, which may include

entry of default. *See Fed.R.Civ.P. 37(b).*

IT IS FURTHER ORDERED that, in accordance with Federal Rule of Civil Procedure 37(a)(5)(A), on or before **July 30, 2010**, defendant Dennis Howard Litz shall **SHOW CAUSE** in writing why he should not have to pay the reasonable expenses plaintiff incurred in filing the subject motion to compel, including attorney's fees.

IT IS SO ORDERED.

DATED: July 19, 2010

s/ Clifford J. Proud
CLIFFORD J. PROUD
U. S. MAGISTRATE JUDGE