

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

BROKER'S HOME, LLC, et al

CIVIL ACTION

VERSUS

NUMBER 07-846

**TRANS UNION, LLC and CREDIT PLUS,
INC.**

ORDER

This matter is before the court on a referral from the district court on Trans Union, LLC's motion to compel (rec.doc. 43), filed herein on April 23, 2009. Trans Union stated in its motion that it propounded discovery to Broker's Home, LLC and Randall Nachman, and received responses in December 2008 that were incomplete or incorrect. Trans Union also argues that its third set of interrogatories and requests for production have gone unanswered. Further, while plaintiffs agreed to supplement the previous written discovery, the responses and documentation have not yet been produced. Moreover, Trans Union contends that while plaintiffs raised claims of privilege in their original discovery responses, they failed to provide a privilege log. Lastly, Trans Union states that testimony elicited during the deposition of Nachman indicated that the initial disclosures provided by the plaintiffs were misleading, false, or incorrect. Trans Union requests this court to compel plaintiffs to respond to the third set of discovery, supplement their responses to written discovery, and provide revised or supplemental Rule 26(a)(1) initial disclosures. Due to the unforeseen delays in discovery, Trans Union requests extension of the current scheduling deadlines in order to finalize discovery.

According to ULLR 7.5M, any opposition to this motion was required to be filed within twenty (20) days after service, and plaintiffs' response to the motion was due May 14, 2009, but as of May 18, 2009, the court has not received such response.

In light of the failure to respond fully both to the discovery and to this motion in a timely fashion, Trans Union, LLC's motion to compel (rec. doc. 43) is **GRANTED** as follows:

1. Plaintiffs shall fully respond to the written discovery within thirty (30) days of this Order;
2. Plaintiffs shall revise and/or supplement their Rule 26(a)(1) initial disclosures within thirty (30) days of this Order;
3. All claims for protection on the basis of attorney-client privilege or work product privilege shall be accompanied by a privilege log, served simultaneously with the responses to discovery;
4. Plaintiffs shall pay Trans Union the reasonable costs associated with the filing of this motion, not to exceed \$250, excluding attorneys' fees, within thirty (30) days of this Order.

IT IS FURTHER ORDERED that the deadline for Trans Union to complete all non-expert discovery, identify its experts, and provide reports shall be **July 1, 2009**. The deadline for completion of expert discovery (August 3, 2009) and the deadline for filing dispositive motions (August 21, 2009) remain unchanged.

Signed in Baton Rouge, Louisiana, on May 18, 2009.



MAGISTRATE JUDGE DOCIA L. DALBY