

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

**CASHMAN EQUIPMENT CORP.**

**CIVIL ACTION**

**VERSUS**

**ROZEL OPERATING CO., ET AL**

**NO. 08-363-C-M2**

**RULING & ORDER**

This matter is before the Court on the Motion to Compel Discovery Responses (R. Doc. 39) filed by plaintiff, Cashman Equipment Corporation (“Cashman”). Defendant, Rozel Operating Company (“Rozel”), has filed an opposition (R. Doc. 40) to this motion.

On February 25, 2009, Cashman propounded its First Set of Interrogatories and Requests for Production of Documents upon Rozel. Despite allowing Rozel several extensions within which to respond to such discovery requests, Cashman had not received any responses and/or objections from Rozel as of the date it filed the present motion, June 23, 2009. Cashman’s counsel represents that this motion was filed after several conferences were held between counsel in an effort at resolving this discovery dispute, without success. Through its motion, Cashman seeks an order compelling Rozel to provide complete responses to its discovery requests as well as an award of all reasonable expenses and attorney’s fees incurred in connection with bringing this motion.

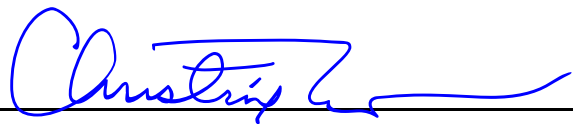
On July 13, 2009, Rozel filed an opposition to Cashman’s motion, wherein it indicates that it provided complete responses to Cashman’s discovery requests on July 10, 2009, and it details the significant amount of work that was expended in responding to such requests. Rozel contends that Cashman’s motion and request for attorney’s fees should be denied as moot.

Considering Rozel's opposition, the Court asks that Cashman review the discovery responses submitted by Rozel for sufficiency and notify the Court within ten (10) days of this Order whether its motion to compel and request for attorney's fees is indeed moot. In the event Cashman finds Rozel's discovery responses to be deficient, Cashman shall file a reply memorandum with the Court within ten (10) days specifically identifying those discovery responses that it deems to be incomplete and explaining the deficiencies contained therein.

Accordingly;

**IT IS ORDERED** that, within ten (10) days of this Order, plaintiff, Cashman Equipment Corporation, shall notify the Court as to whether its Motion to Compel Discovery Responses (R. Doc. 39) is moot by virtue of the discovery responses submitted to it by defendant, Rozel Operating Co., Inc., and if such motion is not moot, Cashman shall file a reply memorandum specifically identifying those discovery responses that it deems to be incomplete and explaining the deficiencies contained therein.

Signed in chambers in Baton Rouge, Louisiana, July 14, 2009.



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**MAGISTRATE JUDGE CHRISTINE NOLAND**