

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

CHAMBERS OF  
J. Mark Coulson  
UNITED STATES MAGISTRATE JUDGE

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March 12, 2024

LETTER ORDER AND OPINION TO COUNSEL

RE: *Pryszmont v. Allstate Vehicle and Property Insurance Company*  
Civil No. 1:22-cv-02792-JMC

Dear Counsel:

Defendant, Allstate Vehicle and Property Insurance Company, filed a Motion to Compel on November 6, 2023, seeking Court compulsion of Plaintiff's, Erika Pryszmont, full and complete written discovery responses to Defendant's interrogatories and requests for production that were then-outstanding. (ECF No. 30). Plaintiff filed her opposition to the Motion to Compel on December 28, 2023, indicating that Plaintiff served the overdue written discovery responses that same day and requesting that the Court deny the Motion to Compel as moot. (ECF No. 33). In response, Defendant alleged that those overdue responses were deficient and further asked the Court to compel Plaintiff to cure those deficiencies within seven days of any such order. (ECF No. 34).

The parties then submitted a joint status report on January 2, 2024, in which Defendant reiterated its belief that Plaintiff's overdue discovery responses were deficient and requested an extension of the discovery deadline to January 28, 2024, "for the sole purpose of Plaintiff's deposition and for the Defendant's experts to inspect the Plaintiff's residence." (ECF No. 35 at 2). Relatedly, some of the alleged deficiencies regarding Plaintiff's written discovery responses involved a lack of information from Plaintiff's Public Adjuster and a lack of photographs.

The Court convened a conference call with the parties on January 9, 2024, to address these remaining discovery issues and Defendant's request to extend the discovery deadline. (ECF No. 36). During that call, Plaintiff indicated that she did not possess information from the Public Adjuster, suggesting that Defense Counsel should obtain that information. However, the Court also noted in its ensuing Order that, although Plaintiff cannot produce what she does not possess, it is nevertheless Plaintiff's responsibility for producing in discovery information that she intends to rely on at trial or in resisting a dispositive motion. (ECF No. 37). Similarly, the Court noted that Plaintiff should arrange for the deposition of her Public Adjuster should she intend to rely on the Public Adjuster's testimony. *Id.*

To address the alleged discovery deficiencies and need to conduct more discovery, the Court extended the deadline for production to January 31, 2024, and the dispositive motions deadline to March 1, 2024. (ECF No. 37). The Court expressly deferred ruling on the pending Motion to Compel until the above production deadline passed because those subsequent

