

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION

RAPHAEL DE ALWIS

PLAINTIFF

VS.

CIVIL ACTION NO. 2:12cv193-M-V

SUNTRUST MORTGAGE, INC. AND  
FEDERAL NATIONAL MORTGAGE ASSOCIATION

DEFENDANTS

**ORDER**

This matter is before the court on motion of the defendant, Suntrust Mortgage, Inc., (“defendant”), to compel discovery (# 19). The motion to compel was filed on May 23, 2013, and given the discovery deadlines in this action, the court contacted plaintiff’s counsel requesting an expedited response to the motion. The plaintiff filed a response to the motion on June 7, 2013, indicating intent to serve discovery responses the same day. However in an abundance of caution, the court is going to enter a ruling on the subject motion. With its motion, the defendant provides that:

1. On March 28, 2012 the defendant served plaintiff with first set of interrogatories and requests for production of documents.
2. On May 6, 2013 and again on May 13, 2013 defense counsel wrote plaintiff’s counsel requesting responses to interrogatories and requests for production. Additionally, defendant requested available dates for the purpose of taking plaintiff’s deposition.
3. To date this discovery remains unanswered.

IT IS, THEREFORE, ORDERED that the defendant's motion to compel is GRANTED.

The plaintiff is hereby ordered to provide sufficient responses to the discovery requests detailed in the defendants' motion within twenty four hours of this Order. Plaintiff's counsel should likewise be familiar with the rules related to discovery motions, including Rule 37(b)(2)(C), which provides for payment of expenses should defense counsel be forced to file a second motion and the court find the answers to the propounded discovery inadequate.

IT IS THEREFORE ORDERED that the defendant's motion to compel discovery responses (# 19) is hereby GRANTED.

SO ORDERED, this the 7<sup>th</sup> day of June 2013.

/s/ Jane M. Virden  
UNITED STATES MAGISTRATE JUDGE