

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

UNITED STATES OF AMERICA

PLAINTIFF,

v.

UNDETERMINED QUANTITIES OF . . . 1,3-
DIMETHYLAMYLAMINE HCL (DMAA) . . .

DEFENDANT,

and

HI-TECH PHARMACEUTICALS, INC., AND
JARED WHEAT,

CLAIMANTS.

Civil Action No.
3:16MC024-JMV

ORDER

Before the Court is Hi-Tech Pharmaceutical, Inc. (“Hi-Tech”) and Jared Wheat’s motion to compel production of documents [1].

Essentially, Hi-Tech and Wheat seek an order of this Court compelling the University of Mississippi to produce documents responsive to a subpoena served upon the University in March 2016. The University’s main objection to production of the documents was that the fact and non-expert discovery deadline in the underlying litigation, *United States v. Undetermined Quantities*

of . . . 1, 3-dimethylamylamine HCl (“DMAA”), Civil Action No. 1:13-3675-WBH-JCF (N.D. Ga.), had expired by the time the subpoena was served. The University now represents that because the fact discovery deadline in the underlying action has been extended to November 11, 2016 by agreement of the parties, it will continue to cooperate with Hi-Tech to produce responsive documents on a rolling basis and expects that the production can be completed within 10 days from September 21, 2016. Accordingly, the Court finds the motion to compel is moot.

SO ORDERED this 23rd day of September, 2016.

/s/ Jane M. Virden
United States Magistrate Judge