

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----x

MIGUEL PANTOJA,

Plaintiff,

ORDER

- v -

CV-13-3691 (FB)(VVP)

MAREDIN RESTAURANT CORP., et al.,

Defendants.

-----x

The defendants have moved to compel the plaintiff to produce documents withheld on the basis of objections. Dkt. Ent. 19. Specifically, the defendants seek documents responsive to their requests 1, 2, and 8, which sought the plaintiff's tax returns, W-2s, and documents reflecting payments made to the plaintiff by entities other than the defendants for the time period from 2011 to the present. All of the information meets the broader scope of relevance applicable in discovery proceedings. *See* Fed. R. Civ. P. 26(b)(1). It is true that the tax return information sought by the defendants is typically subject to a heightened showing of need. Under a principle well-established in a long line of cases in this circuit, however, the plaintiff has waived any objections to the production of the information requested by failing to provide timely responses to the defendants' requests for discovery. *See, e.g., 1199 SEIU Pension Fund v. E. Niagara Hosp., Inc.*, No. 13-CV-00323, 2013 WL 4812411, at *1-2 (W.D.N.Y. Sept. 10, 2013); *Labarbera v. Absolute Trucking, Inc.*, No. CV 08-4581, 2009 WL 2496463, at *1 (E.D.N.Y. Aug. 12, 2009); *Banco Central De Paraguay v. Paraguay Humanitarian Foundation, Inc.*, No. 01 Civ. 9649, 2006 WL 3456521, at *9 (S.D.N.Y. Nov. 30, 2006); *Melendez v. Greiner*, No. 01 Civ. 07888, 2003 WL 22434101, at *2 (S.D.N.Y. Oct. 23, 2003);

Eldaghar v. City of N.Y. Dep't of Citywide Admin. Servs., No. 02 Civ. 9151, 2003 WL 22455224, at *2 (S.D.N.Y. Oct. 20, 2003).

Accordingly, the defendants' motion is granted. The plaintiff shall produce the requested information within fourteen days.

SO ORDERED:

Viktor V. Pohorelsky
VIKTOR V. POHORELSKY
United States Magistrate Judge

Dated: Brooklyn, New York
June 9, 2014