

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

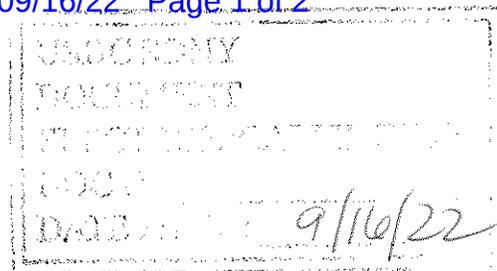
State Farm Fire & Casualty Company,

Plaintiff,

- against -

Pentair Flow Technologies, LLC,

Defendant.



21 Civ. 6679 (PED)

**ORDER**

**PAUL E. DAVISON, U.S.M.J.:**

This diversity action arises from a fire caused by a submersible utility pump made by Pentair Flow Technologies, LLC (“Defendant”) that damaged property owned by State Farm Fire & Casualty Company’s (“Plaintiff”) subrogor. At the time of the fire, witnesses Shanti Mann and Natalia Perez (the “Witnesses”) had personal property that was damaged by the fire.

On August 8, 2022, defense counsel duly served each of the Witnesses with a Subpoena to Testify at a Deposition in a Civil Action. Dkt. #31-1 at 1-3, Mann Subpoena; *Id.* at 4, Mann Affidavit of Service; Dkt. #31-2 at 1-3, Perez Subpoena; *Id.* at 4, Perez Affidavit of Service. Defense counsel’s subpoenas requested that the Witnesses produce certain documents in connection with their deposition by August 23, 2022. *See* Dkts. #31-1, 31-2. Defense counsel has represented that: (i) the Witnesses were each deposed by the original August 23, 2022 deadline, but did not produce documents responsive to defense counsel’s subpoena by that deadline; (ii) defense counsel made additional attempts to contact the Witnesses via email on August 24, August 30, and September 2, 2022; and (iii) the Witnesses have not responded to defense counsel regarding the production of the documents. Dkts. #29, 29-5.

Presently before this Court is Defendant’s request for an order to compel the Witnesses’ compliance with the subpoena. It is apparent from the record that: (i) despite having been properly served with a subpoena, the Witnesses have failed to produce documents responsive to defense counsel’s subpoena by the noticed date, and (ii) the Witnesses have not responded to defense counsel’s subsequent communications. Accordingly, it is

**ORDERED** that Shanti Mann and Natalia Perez shall appear before this Court on **Friday, October 7, 2022 at 10:00 a.m. at the Hon. Charles L. Bricant, Jr. Federal Building and United States Courthouse, 300 Quarropas Street, White Plains, New York 10601, Courtroom 420**. The in-person conference will be cancelled upon the Court’s receipt of notification from defense counsel that Mr. Mann and Ms. Perez have complied with their respective subpoenas.

**NOTICE TO SHANTI MANN:**

**If you do not appear before this Court on October 7, 2022 at 10:00 a.m. in Courtroom 420, you may be held in contempt of court and subject to sanctions.**

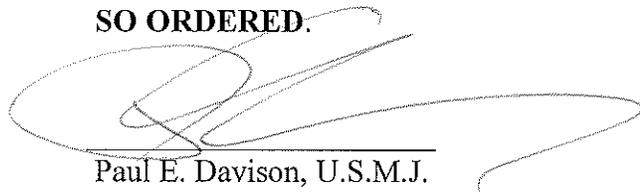
**NOTICE TO NATALIA PEREZ:**

**If you do not appear before this Court on October 7, 2022 at 10:00 a.m. in Courtroom 420, you may be held in contempt of court and subject to sanctions.**

Defense counsel is directed to serve a copy of this Order on Mr. Mann and Ms. Perez within five (5) days of the date of this Order, and to file proof of service promptly thereafter.

Dated: September 16, 2022  
White Plains, New York

**SO ORDERED.**

A handwritten signature in black ink, appearing to read 'Paul E. Davison', is written over a horizontal line. The signature is stylized and somewhat cursive.

Paul E. Davison, U.S.M.J.