

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:11cv23**

GERALD ABATEMARCO, et al.,)
)
 Plaintiffs,)
)
 v.)
)
 LEGAUS OF NORTH CAROLINA,)
 LLC, SYNOVUS BANK, et al.,)
)
 Defendants.)
 _____)

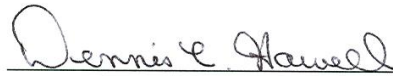
ORDER

Pending before the Court is the Joint Motion for Discovery [# 117]. On the last day of the discovery period, the parties filed a joint motion requesting that the provisions of a discovery Order entered in the case Synovus Bank v. Karp, Civil Case No. 1:10-cv-172, be entered in this case. The parties neglected to file a legal brief in support of their motion, as required by Local Rule 7.1(C). Moreover, neither party ever filed a motion to compel or a motion for protective order in this case.

To the extent that the parties voluntarily agree to abide by an Order ruling on a motion to compel filed in another case, they may certainly do so, and no order from this Court is necessary. Although, based on the Court’s ruling on the motion to compel in Karp, it might be prudent for Plaintiffs to voluntarily agree to produce

the documents and provide Defendants with a privilege log if they have not already done so, the Court will not enter a discovery order directing that the parties in this case abide by a discovery Order entered in another case when no party ever filed a discovery motion seeking to compel the production of documents or seeking the entry of a protective order. Accordingly, the Court **DENIES** the motion [# 117].

Signed: August 14, 2013



Dennis L. Howell
United States Magistrate Judge

