

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:13-CV-00630-MOC-DSC**

LEANDRA RAMKISSOON AND)
ANNA HUNT,)
)
 Plaintiffs,)
)
v.)
)
MISUN KIM)
A/K/A MISUN KIM MCCUITION)
D/B/A MISUNDRIES,)
)
 Defendant.)

ORDER

THIS MATTER is before the Court on “Plaintiffs’ Motion for Sanctions for Failure to Comply with Order to Compel and for Sanctions for Violating FRCP 16 and Local Rules 16.2 and 16.3” (document #24) and the parties’ associated briefs and exhibits (documents #26 and 27).

Plaintiffs seek sanctions against Defendant for her failure to comply with this Court’s Order to Compel dated October 3, 2014 and for her conduct at the October 8, 2014 mediation.

Courts generally have broad discretion in imposing sanctions under Rule 37 of the Federal Rules of Civil Procedure. National Hockey League v. Metropolitan Hockey Club, Inc., 427 U.S. 639 (1976). Defendant has not complied with the Court’s previous Order. Her disruptive conduct and profane outbursts at the mediation are intolerable. The Court finds that monetary sanctions are warranted here for Defendant’s continued obstructive conduct. **The Court warns Defendant that failure to comply fully with any of the Court’s Orders, the**

Local Rules, or the Rules of Civil Procedure may result in the further imposition of sanctions, which may include ENTRY OF JUDGMENT IN PLAINTIFFS' FAVOR.

NOW THEREFORE, IT IS ORDERED:

1. "Plaintiffs' Motion for Sanctions for Failure to Comply with Order to Compel and for Sanctions for Violating FRCP 16 and Local Rules 16.2 and 16.3" (document #24) is **GRANTED.**

2. Within fourteen (14) calendar days of the date of this Order, Defendant shall serve complete verified responses to "Plaintiff Hunt's First Set of Interrogatories and Requests for Production of Documents" and "Plaintiff Ramkissoon's First Set of Interrogatories and Requests for Production of Documents."

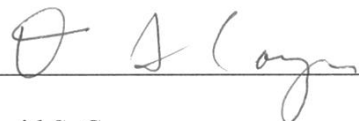
3. Defendant is ordered to pay \$1,342.50 in reasonable attorneys' fees and costs incurred in obtaining the Court's Order to Compel dated October 3, 2014 (document #19). Defendant shall pay these fees and costs directly to Plaintiffs' counsel within thirty (30) calendar days of the date of this Order.

4. Defendant is ordered to pay Plaintiffs the reasonable attorneys' fees and costs incurred in obtaining this Order and in attending the mediation on October 8, 2014, such amounts to be determined by the Court after reviewing an affidavit submitted by Plaintiffs' counsel within ten (10) calendar days of the date of this Order.

4. The Clerk is directed to send copies of this Order to counsel for the parties, and to the Honorable Max O. Cogburn, Jr..

SO ORDERED.

Signed: January 5, 2015



David S. Cayer
United States Magistrate Judge

