

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:14-CV-00224-RJC-DSC**

BOBBY C. HUNTLEY,)
)
 Plaintiff,)
)
 v.)
)
 DUKE ENERGY CAROLINAS, LLC,)
)
 Defendant.)

ORDER

THIS MATTER is before the Court on “Defendant’s Motion to Dismiss for Failure to Prosecute and, in the Alternative, Motion to Compel” (document # 22) filed June 10, 2015 and the parties associated briefs and exhibits. See documents #22 and #27.

The Court has carefully examined the record, the parties’ arguments and the applicable authorities. The Court will **grant the Motion in the alternative** and compel Plaintiff to respond to Defendant’s First Set of Interrogatories and Request for Production of Documents and to execute an Authorization for the Release of protected health information **within fourteen (14) calendar days of this Order.**

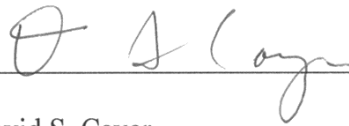
The Court also finds that Plaintiff should pay reasonable costs, including attorneys' fees, incurred by Defendant in filing the instant Motion to Compel.

Defendant shall submit an affidavit detailing the expenses, including attorneys’ fees incurred in the filing of the instant Motion within seven (7) calendar days of this Order. Upon reviewing the affidavit, the Court will enter an order granting reasonable costs.

The Clerk is directed to send copies of this Order to counsel for the parties, including but not limited to moving counsel; and to the Honorable Robert J. Conrad, Jr..

SO ORDERED.

Signed: July 13, 2015

A handwritten signature in cursive script, appearing to read "D S Cayer", written over a horizontal line.

David S. Cayer
United States Magistrate Judge

