

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:16-CV-305-DCK**

**COPPER RIDGE OWNERS’
ASSOCIATION, INC.,**)
)
)
Plaintiff,)
)
v.)
)
PHILADELPHIA INDEMNITY)
INSURANCE COMPANY,)
)
Defendant.)
)

ORDER

THIS MATTER IS BEFORE THE COURT on “Defendant’s Motion To Quash And Motion For Protective Order” (Document No. 17); “Defendant’s Motion To Quash And Motion For Protective Order Regarding Subpoena Issued To William F. Nunn Co., Inc.” (Document No. 22); and “Plaintiff’s Motion To Strike Affidavits Of Kenneth T. Crump And Ken Morscheiser” (Document No. 24). The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and these motions are ripe for disposition. Having carefully considered the motions and the record, and having held a telephone conference with counsel for both sides regarding the motions and the status of the case on November 1, 2016, the undersigned will grant the motions in part and deny the motions in part.

As discussed with counsel for the parties in the recent telephone conference, the undersigned finds that the goals of efficient case management and proportional discovery in this matter are best served if the pending subpoenas (Document No. 17-1 and Document No. 22-1) issued to Crump Engineering Works, PLLC and William F. Nunn Co., Inc. are quashed. See Fed.R.Civ.P. 26(b)(1), (4) and (5)(c). In short, the undersigned finds in this instance that the parties

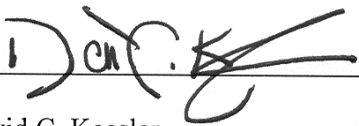
should exchange some initial written discovery and expert reports, consistent with the “Pretrial Order And Case Management Plan” (Document No. 16), prior to Plaintiff seeking information from the non-parties named in the subpoenas at issue.

IT IS, THEREFORE, ORDERED that “Defendant’s Motion To Quash And Motion For Protective Order” (Document No. 17) and “Defendant’s Motion To Quash And Motion For Protective Order Regarding Subpoena Issued To William F. Nunn Co., Inc.” (Document No. 22) are **GRANTED** as directed herein.

IT IS FURTHER ORDERED that “Plaintiff’s Motion To Strike Affidavits Of Kenneth T. Crump And Ken Morscheiser” (Document No. 24) is **DENIED AS MOOT**.

SO ORDERED.

Signed: November 1, 2016



David C. Keesler
United States Magistrate Judge

