

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:16-cv-00848-FDW-DSC

CARGILL, INC., and CARGILL MEAT )  
SOLUTIONS, CORP., )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
WDS, INC., JENNIFER MAIER, and )  
BRIAN EWERT, )  
 )  
Defendants. )  
 )  
\_\_\_\_\_ )

ORDER

THIS MATTER is before the Court on Plaintiffs’ Motion to Compel Post-Judgment Discovery against WDS, Inc. (Doc. No. 367). WDS filed a response to the Motion as ordered by the Court, and the Court held a hearing on the Motion and other pending motions on April 11, 2018.

Based on the parties’ filings and their representations at the hearing, the Court concludes WDS did not timely respond to Plaintiffs’ First Set of Post Judgment Interrogatories or First Set of Post Judgment Requests for Production of Documents; WDS has, as of April 9, 2018, provided responses and some production; but the responses and production are not complete. Therefore, a Court order requiring responses and production may still be necessary.<sup>1</sup> Accordingly, as agreed to at the hearing, counsel for Plaintiffs and WDS will meet and confer and tender a proposed order for the Court’s consideration through Cyberclerk. The proposed order shall set forth a deadline for complete responses and production. To the extent the parties consent to the Court imposing

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<sup>1</sup> If an order from this Court becomes unnecessary, Plaintiffs may file a notice of withdrawal of the Motion.

further relief in its order, such as those addressed in Plaintiffs' Motion, in WDS's response brief, and at the hearing, the proposed order may include this relief.<sup>2</sup> The proposed order may also indicate the parties' disagreement on matters currently before the Court.

THEREFORE, the Court hereby ORDERS counsel for Plaintiffs and WDS, Inc. to meet and confer and tender a proposed order to the Court through Cyberclerk no later than April 20, 2018.

IT IS SO ORDERED.

Signed: April 11, 2018

  
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Frank D. Whitney  
Chief United States District Judge 

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<sup>2</sup> Some forms of relief may require a separate motion or satisfaction of other requirements. For such relief, the parties should file a separate consent motion, brief, and proposed order through Cyberclerk. If the consent of other parties should be obtained for this relief, counsel should meet and confer with counsel for that party. Unless otherwise required, failure to obtain consent does not preclude any party from moving for relief to which it claims entitlement.