

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

ETW DEVELOPMENT COMPANY, )  
LLC, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
ACE FIRE UNDERWRITERS )  
INSURANCE COMPANY, )  
 )  
Defendant. )

CIVIL ACTION FILE  
NO.: 4:12-CV-00170-RBH

**CONSENT ORDER GRANTING DEFENDANT’S MOTION TO COMPEL**

WHEREAS defendant ACE Fire Underwriters Insurance Company (“ACE”) propounded its first interrogatories and request for production of documents on plaintiff ETW Development Company, LLC (“ETW”) on June 19, 2012;

WHEREAS ETW failed to respond to ACE’s interrogatories and request for production of documents within the thirty-three (33) days required by Federal Rules of Civil Procedure 33 and 34;

WHEREAS ACE extended the time within which ETW could respond to ACE’s interrogatories and request for production of documents until August 10, 2012;

WHEREAS ETW failed to respond to ACE’s interrogatories and request for production of documents by August 10, 2012;

WHEREAS defendant ACE Fire Underwriters Insurance Company filed its Motion to Compel ETW’s responses to ACE’s interrogatories and request for production of documents on August 22, 2012;

WHEREAS the parties held an informal telephone call on August 27, 2012 with

Judge Harwell during which the parties agreed that ETW would respond to ACE's written discovery requests within fifteen (15) days of August 27, 2012; and that the parties agreed to send a consent order reflecting that agreement.

WHEREAS ACE reserves the right to file another Motion to Compel should ETW fail to provide responses to ACE's interrogatories and request for production of documents within fifteen (15) days of August 27, 2012;

IT IS HEREBY ORDERED AND ADJUDGED that defendant ACE Fire Underwriters Insurance Company's Motion to Compel be GRANTED and that plaintiff ETW Development Company, LLC shall respond to ACE's interrogatories and request for production of documents within fifteen (15) days of August 27, 2012, or by Tuesday, September 11, 2012.

SO ORDERED this 29th day of August, 2012.

s/ R. Bryan Harwell  
HON. R. BRYAN HARWELL, Judge  
United States District Court for the District  
of South Carolina, Florence Division

Order prepared by:

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