

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Michelin North America, Inc., and)
Michelin Retread Technologies, Inc.,)

Plaintiffs/Counterclaim Defendants,)

vs.)

Inter City Tire and Auto Center, Inc., and)
Inter City Retread, Inc.,)

Defendants/Counterclaim Plaintiffs,)

vs.)

Service Tire Truck Centers, Inc.,)
Tire Centers, LLC, James Cavanaugh,)
William McCabe, William Schafer,)
Andrew Meurer, and Marc Pasquet,)

Counterclaim Defendants.)

C.A. No. 6:13-1067-HMH

Inter City Tire and Auto Center, Inc. and.)
Inter City Retread, Inc.,)

Plaintiffs,)

vs.)

Michelin North America, Inc., Michelin)
Retread Technologies, Inc., Service Tire)
Truck Center, Inc., James Cavanaugh)
William McCabe and Oscar Simoes,)

Defendants.)

C.A. No. 6:13-2752-HMH

OPINION & ORDER

This matter is before the court on Defendant/Counterclaim Defendant James Cavanaugh's ("Cavanaugh") pro se motion to quash a subpoena allegedly issued from this court by Defendants/Counterclaim Plaintiffs Inter City Tire and Auto Center, Inc. and Inter City Retread, Inc. (collectively "Inter City"). Cavanaugh did not attach the subpoena described in the motion to his filing. See (Mot. Quash, ECF No. 329.)¹ Rule 45(d)(3) of the Federal Rules of Civil Procedure provides that motions to quash must be filed in "the court for the district where compliance is required." See Fed. R. Civ. P. 45(d)(3)(A)-(B). Any motion to quash Inter City's subpoena should have been filed in the district where compliance is required. Because Cavanaugh did not attach the subpoena to his motion, the court is unable to evaluate whether it has jurisdiction to consider the motion. Accordingly, Cavanaugh's motion to quash is denied without prejudice.

It is therefore

ORDERED that Cavanaugh's motion to quash, docket number 329, is denied without prejudice.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
October 29, 2014

¹All citations in ECF refer to C.A. No. 6:13-cv-1067.