

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

William Loftus,)
)
Plaintiff,)
)
v.)
)
Oleksandr Fumarov; Kareta Express,)
Inc.; and GIG Logistics, Inc.,)
)
Defendants.)
_____)

C/A No. 7:21-CV-04041-DCC

OPINION AND ORDER

This matter comes before the Court on Plaintiff’s Motion to Compel Full and Complete Discovery Responses and Federal Rule Civil Procedure 30(b)(6) witness from Defendant GIG Logistics, Inc. (“GIG”) filed pursuant to Federal Rule Civil Procedure 37 and Local Civil Rule 37.01 (D.S.C.), following a telephone discovery conference held by the undersigned on July 11, 2023. Specifically, Plaintiff asks this Court to issue an Order (1) compelling GIG to fully and completely respond to Plaintiff’s First Set of Interrogatories and Requests for Production within 21 days; (2) compelling GIG to fully respond to Plaintiff’s Federal Rule Civil Procedure 30(b)(2) document requests within 21 days; (3) declaring that GIG has waived all objections to the discovery requests served upon it through counsel, save any objections to the attorney-client privilege; and (4) requiring GIG to make an authorized and knowledgeable designee available for deposition within 14 days of the provision of all responsive discovery requests.

Based on the filings submitted by the parties, the Court finds that Defendant GIG has failed to fully and completely respond to Plaintiff’s First Set of Interrogatories and Requests for Production. Additionally, the Court finds that GIG has failed to produce

responsive documents pursuant to Plaintiff's Rule 30(b)(2) requests and failed to make an authorized designee available for deposition pursuant to Plaintiff's Rule 30(b)(6) deposition notice.¹ The Court further finds that counsel for Plaintiff and GIG have been actively engaged in attempts to resolve the instant discovery dispute without success and that the instant Motion is now appropriate.

Based on the foregoing, the Court GRANTS Plaintiff's Motion to Compel and hereby orders GIG to (1) fully and completely respond to Plaintiff's First Set of Interrogatories and Requests for Production within 60 days; (2) fully and completely respond to Plaintiff's Rule 30(b)(2) requests within 60 days; and (3) make an authorized and knowledgeable designee available within 14 days of the provision of all responsive discovery requests. Should GIG fail to comply with the terms of this discovery Order, GIG will be subject to sanctions pursuant to Federal Rule Civil Procedure 37(b).

IT IS SO ORDERED.

s/ Donald C. Coggins, Jr.
United States District Judge

August 29, 2023
Spartanburg, South Carolina

¹ The Court finds that any failure to comply with the discovery rules is not due to a lack of diligence on the part of defense counsel.