

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JORN RAVN,)	
)	
Plaintiff,)	
)	No. 3:12-CV-577
v.)	(VARLAN/SHIRLEY)
)	
LOG INVESTORS, INC., <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02. Now before the Court is the Defendants’ Motion to Compel [Doc. 14], filed on February 19, 2014. The parties appeared before the Court for a motion hearing on March 10, 2014. Kristi M. Davis represented the Plaintiff. Dan D. Rhea represented Defendant Log Investors, Inc.

In its motion, Defendant requests that Plaintiff be compelled to answer Defendant’s First Set of Requests for the Production of Documents and Electronically Stored Information. Specifically, Defendant submits that the Plaintiff’s response that “Responsive documents are attached” fails to comply with Federal Rule of Civil Procedure 34(b)(2)(B) which requires a more affirmative response, namely, “that inspection and related activities will be permitted as requested.”

Plaintiff responds [Doc. 18] that he has provided a copy of the requested documents, and “thus, an ‘inspection’ is not necessary, nor is it clear what the Defendant would inspect.” In

addition, Plaintiff submits that if Defendant wishes Plaintiff to amend its responses to state that “inspection and related activities will be permitted as requested,” then Plaintiff will do so.

During the hearing, the parties submitted to the Court that they have resolved their discovery dispute. Defendant provided the exact language it believed should be included in the Plaintiff’s responses and Plaintiff’s counsel stated that she would amend Plaintiff’s responses to reflect the language requested by Defendant.

Accordingly, because the parties have mutually resolved their discovery issue, the Court finds the Defendant’s Motion to Compel [Doc. 14] is **DENIED as moot**. Plaintiff is **DIRECTED** to amend his responses using the agreed upon language on or before March 17, 2014.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge