

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

**ALL SECURE GUARD & PATROL
SERVICES, INC., and GUYLON GREER,
as an individual principal shareholder,**)

Plaintiffs,)
and)

**NATIONAL BANKERS TRUST
CORPORATION,**)

Plaintiff in Intervention,)

v.)

**FEDERAL HOME LOAN MORTGAGE
CORPORATION and MAKOWSKY
RINGEL GREENBERG, LLC,**)

Defendants.)

CONSOLIDATED WITH)

**NATIONAL BANKERS TRUST
CORPORATION,**)

Plaintiff,)

v.)

**ALL SECURE GUARD & PATROL
SERVICE, INC.; GUYLON GREER;
and TARRIS GREER,**)

Defendants.)

No. 14-2575-STA-tmp

ORDER ADOPTING MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION

Before the Court is the United States Magistrate Judge’ Report and Recommendation that counsel for Plaintiff All Secure Guard & Patrol Service, Inc. be ordered to pay attorney’s fees for

Defendants Federal Home Loan Mortgage Corporation (“Freddie Mac”) and Makowsky Ringel Greenberg, LCC (“MRG”) associated with Defendants’ recently granted motion to compel and motion for sanctions. On November 21, 2014, Freddie Mac and MRK filed a motion for an order compelling Plaintiffs to make initial disclosures and motion for sanctions (ECF Nos. 15 & 16). Under the Rule 16(b) scheduling order, initial disclosures were due on or before October 13, 2014. The Court referred Defendants’ motions to the Magistrate Judge for determination, and Plaintiffs failed to respond to the motions within the time allowed under the Local Rules. On December 8, 2014, the Magistrate Judge granted the motion to compel and ordered Plaintiffs to provide initial disclosures by December 22, 2014 (ECF No. 19). The Magistrate Judge also granted the motion for sanctions and directed counsel for Freddie Mac and MRG to prepare a fee petition, documenting the reasonable attorney’s fees Defendants incurred as a result of the motion to compel. Counsel filed his fee petition (ECF No. 20) on December 15, 2016, seeking an award of \$2,970.00 in fees. The Magistrate Judge has recommended that the Court award Freddie Mac and MRG attorney’s fees in the amount of \$1,560.00 as a sanction .

Objections to the Report and Recommendation were due within fourteen (14) days of the entry of the Report, making the objections due on or before December 31, 2014. Even giving the parties the benefit of the additional three days provided under Federal Rule of Civil Procedure 6(d), objections were due no later than January 5, 2015. No party has filed objections within the time permitted. Having reviewed the Magistrate Judge’s Report and Recommendation *de novo*, the order granting the motion to compel and motion for sanctions, counsel’s fee petition, and the entire record of the proceedings, the Court hereby **ADOPTS** the Magistrate Judge’s Report. Counsel for Plaintiffs is ordered to pay Defendants’ attorney’s fees in the amount of \$1,560.00.

The Court would also underscore the caution given by the Magistrate Judge in his order

granting Defendants' motion to compel and motion for sanctions. Plaintiffs are warned that their failure to participate in discovery or comply with the Court's orders in the future may result in more severe sanctions, including the sanction of dismissal of their claims with prejudice and/or entry of default judgment against them.

IT IS SO ORDERED.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
UNITED STATES DISTRICT JUDGE

Date: January 7, 2015.