

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 13-20610-CIV-ALTONAGA/SIMONTON

LARRY E. KLAYMAN,

Plaintiff,

v.

JUDICIAL WATCH, INC.,

Defendant.

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ORDER DIRECTING PLAINTIFF TO COMPLY WITH DISCOVERY PROCEDURES

This matter is before the Court upon a review of the file in anticipation of the March 5, 2014 discovery conference. On March 3, 2014, Plaintiff submitted as supporting materials a motion to compel previously stricken by the Court and certain emails produced in discovery by Defendant. The Court's Order on discovery procedures provides that the party seeking relief:

shall provide Magistrate Judge Simonton a copy of all source materials relevant to the discovery dispute, via hand-delivery or through a scanned PDF document that is emailed to the CM/ECF mailbox (simonton@flsd.uscourts.gov), when the Notice of Hearing is filed. (For example, if the dispute concerns interrogatories, the interrogatories at issue and the response thereto shall be provided to Magistrate Judge Simonton's Chambers.)

(DE # 55, p. 4). Plaintiff's re-submission of the stricken motion fails to comply with the Court's prior directive. The discovery dispute identified in Plaintiff's notice of hearing (DE # 77) involves three subpoenas and Defendants' objections to those subpoenas. Thus, the supporting materials for the discovery conference should, at a minimum, consist of copies of those subpoenas and copies of Defendants' objections. It should not include a stricken motion to compel. It is inherently unfair for one side to submit a memorandum to which the other side has not responded. The Court will therefore strike

Plaintiff's March 3, 2014 submission and require Plaintiff to submit correct supporting materials to the undersigned's CM/ECF mailbox no later than **noon on March 4, 2014**.

DONE AND ORDERED in Miami, Florida, on March 3, 2014.



ANDREA M. SIMONTON
UNITED STATES MAGISTRATE JUDGE

Copies furnished via CM/ECF to:
The Honorable Cecilia M. Altonaga
Counsel of Record