

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**GULF COAST TURF AND TRACTOR  
LLC,**

**Plaintiff,**

**v.**

**Case No.: 8:17-cv-2787-T-24AAS**

**KUBOTA TRACTOR CORPORATION,**

**Defendant.**

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**ORDER**

Gulf Coast Turf and Tractor, LLC (“Gulf Coast”) moves to compel Kubota Tractor Corporation (“Kubota”) to produce documentation providing the purchase price, invoice price, or sales price of Kubota equipment sold to Herc Rentals or Hertz Equipment Rental for the period March 1, 2017, through October 31, 2017, as ordered by the court (Doc. 37). (Doc. 44). Gulf Coast also requests an extension of the deadline to disclose its expert and expert’s report and to impose sanctions on Kubota for failure to timely provide the court-ordered documentation. (*Id.*). Kubota responds that the subject documentation has since been provided and sanctions are not warranted. (Doc. 46). Gulf Coast now seeks to reply to Kubota’s response. (Doc. 47).

As the documentation subject to the instant motion to compel has been produced, the matter is moot. Kubota asserts it worked diligently to produce the documentation in a timely manner and the court is satisfied with Kubota’s representations. (Doc. 46). In addition, other than inconvenience, Gulf Coast has not been prejudiced by the delay because the court is willing to extend Gulf Coast’s expert

disclosure deadline. Thus, in this instance, an award of expenses to Gulf Coast would be unjust. *See* Fed. R. Civ. P. 37(a)(5)(A)(iii). A reply is unnecessary.

Accordingly, Gulf Coast's motions are **GRANTED in part and DENIED in part** as follows:

1. Gulf Coast's motion to compel is **DENIED as moot**.
2. Gulf Coast's request for an extension of the expert disclosure deadlines is **GRANTED**. Gulf Coast will disclose the identity of any expert witnesses and expert reports by **November 2, 2018**. Kubota will disclose the identity of any expert witnesses and expert reports by **November 30, 2018**.
3. Gulf Coast's motion for sanctions is **DENIED**.
4. Gulf Coast's motion for leave to file a reply is **DENIED**.

**ORDERED** in Tampa, Florida on October 18, 2018.



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AMANDA ARNOLD SANSONE  
United States Magistrate Judge