

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

BRAD WARRINGTON,

Plaintiff,

v.

Case No.: 2:22-cv-77-JES-KCD

RAKESH PATEL and ROCKY
PATEL PREMIUM CIGARS, INC.,

Defendants.

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ORDER

On January 16, 2024, the Court held oral argument on two pending discovery motions: (1) Defendant Rocky Patel Premium Cigars, Inc.'s Motion to Compel (Doc. 194) and (2) Plaintiff's Motion to Compel Discovery Production by Defendant Patel (Doc. 196). Having reviewed the briefing, and for the reasons stated on the record, the Court:

1. **GRANTS IN PART AND DENIES IN PART** Defendant Rocky Patel Premium Cigars, Inc.'s Motion to Compel:

- a. The Court overrules Plaintiff's objections to the following discovery requests and orders him to respond to the same within 14-days:
 - i. Request to Produce No. 13
 - ii. Request to Produce No. 15

- iii. Request to Produce No. 16
 - iv. Request to Produce No. 17
 - v. Request to Produce No. 18
 - vi. Interrogatory No. 3
- b. The Court sustains Plaintiff's objection to Request to Produce No. 21.
- c. The Court sustains Plaintiff's objection, in part, to Interrogatory No. 4. Plaintiff need not respond to the first line "Describe the negotiations to sell YOUR shares in the Company to Whitefish Bay SPV." But Plaintiff must answer the remaining questions listed in the interrogatory.
- d. The Court takes under advisement the parties' arguments concerning Document Request No. 29. A written order on this request will follow.
- e. Defendant's request for attorney fees under Fed. R. Civ. P. 37 is denied without prejudice.

2. **GRANTS IN PART AND DENIES IN PART** Plaintiff's Motion to Compel Discovery Production by Defendant Patel:

- a. The Court overrules Defendant Patel's objections to Document Request 3 and orders him to respond to the same within 30-days;

b. Plaintiff's request for attorney fees under Fed. R. Civ. P. 37
is denied.

3. All other requested relief different than ordered above is denied.

ORDERED in Fort Myers, Florida on January 19, 2023.



Kyle C. Dudek
United States Magistrate Judge

Copies: All Parties of Record