

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

LANCE GRIFFIN,

Plaintiff,

v.

Case No.: 2:22-cv-607-JLB-KCD

GALEANA CHRYSLER JEEP,  
INC.,

Defendant.

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**ORDER**

Plaintiff Lance Griffin moves to compel updated discovery responses from Defendant Galeana Chrysler Jeep, Inc. (Doc. 36.)<sup>1</sup> Plaintiff's motion is opposed, but the Court need not await a response to dispose of it. For the reasons below, the motion is denied.

The problem for Griffin is simple—his request is untimely. Discovery closes on December 1, 2023. (*See* Doc. 25.) The Middle District of Florida Discovery Handbook<sup>2</sup> requires the completion of discovery and resolution of issues related to discovery prior to the deadline. *Oil Consulting Enter., Inc. v. Hawker Beechcraft Glob. Customer Support, LLC*, No. 8:16-CV-3453-T-24AEP,

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<sup>1</sup> Unless otherwise indicated, all internal quotation marks, citations, and alterations have been omitted in this and later citations.

<sup>2</sup> The Discovery Handbook is binding on the parties here. (*See* Doc. 25 at 2.)

2017 WL 7355128, at \*1 (M.D. Fla. Dec. 21, 2017). A motion to compel that will not be briefed before discovery ends, as here, “certainly does not allow sufficient time to resolve the matter prior to the close of discovery.” *Action Nissan, Inc. v. Hyundai Motor Am.*, No. 6:18-CV-380-ORL-78EJK, 2020 WL 9173023, at \*1 (M.D. Fla. Apr. 7, 2020).

Griffin has also moved to extend the discovery deadline. (See Doc. 35.) If discovery is reopened, he can (and should) refile his motion to compel. But until that occurs, this discovery dispute is a nonstarter. See, e.g., *Gov’t Emps. Ins. Co. v. Merced*, No. 8:20-CV-802-KKM-AAS, 2022 WL 218485, at \*1 (M.D. Fla. Jan. 25, 2022).

Accordingly, it is **ORDERED**:

Plaintiff’s Motion to Compel (Doc. 36) is **DENIED WITHOUT PREJUDICE**.

**ORDERED** in Fort Myers, Florida this November 21, 2023.



Kyle C. Dudek  
United States Magistrate Judge

Copies: All Parties of Record