

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

GERALD PLUVIOSE,

Plaintiff,

v.

Case No.: 2:22-cv-668-JLB-KCD

PHH MORTGAGE  
CORPORATION,

Defendant.

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**ORDER**

Plaintiff has filed several discovery requests directed to Defendant and titled the same as a motion. (Doc. 64.) But Plaintiff need not file a motion for discovery, so his request is **denied**. Discovery requests must be served on opposing counsel, not the Court. Furthermore, under this Court's local rules, discovery should not be filed unless the document is used at a hearing, is necessary for a motion, or the Court orders otherwise. *See* Fed. R. Civ. P. 5(d)(1)(A); Middle District Discovery Handbook (2021) at Section I.C.1.

Plaintiff also requests that counsel be appointed to represent him. (Doc. 63.) But Plaintiff does not provide any grounds in support of his request, and so it too is **denied**. *See* Local Rule 3.01(a).

Finally, Plaintiff has presented no substantive argument in response to the motion to dismiss. (Doc. 62.) If he wishes to do so, he must file the

substantive response by **August 6, 2024**. If nothing is filed, the Court will consider the motion to dismiss without the benefit of a response.

**ORDERED** in Fort Myers, Florida on July 16, 2024.



Kyle C. Dudek  
United States Magistrate Judge

Copies: All Parties of Record