

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

TAMIKA LYLES,

Plaintiff,

v.

Case No: 6:22-cv-687-WWB-EJK

**SCHOOL DISTRICT OF
OSCEOLA COUNTY, FLORIDA,
DEBRA PACE, TAMMY
OTTERSON, ANJEL
AUSHERMAN, and JEFFERY
SCHWARTZ,**

Defendants.

ORDER

This cause comes before the Court on Defendants' Osceola County School District and Debra Pace's Motion to Compel Plaintiff's Answers to Interrogatories and Response to Requests for Production (the "Motion") (Doc. 28), filed October 10, 2023. Plaintiff responded in opposition on October 24, 2023. (Doc. 31.)

Plaintiff alleges in her operative Amended Complaint that she was removed from her teaching position at Poinciana High School "in retaliation for her protected speech, her complaints about discrimination, and, more broadly, her support to provide adequate Covid safety measures for teachers and students of Osceola County." (Doc. 25 at 2.) The discovery deadline in this case is currently December 1, 2023. (Doc. 12.)

Upon review of the Motion, and the response thereto, it appears that Plaintiff is continuing to supplement or change her answers to the interrogatories and is still producing documents to Defendants. (*See* Doc. 31.) Thus, in its discretion, the Court **ORDERS** the parties to meet and confer in good faith in person, by telephone, or by video conference (i.e., not email), **on or before November 13, 2023**, to attempt to resolve the disputes addressed in the motion to compel. In the event the parties are unable to resolve the discovery dispute after participating in the ordered good faith conferral process, on or before **November 17, 2023**, they may file a renewed motion to address any remaining discovery issues.

If such a motion is filed, the parties are **ORDERED** to jointly complete the following chart (adding rows as necessary) regarding any remaining written discovery requests allegedly requiring court intervention:

Discovery request at issue (list separately for each item in any request)	Movant's theory of why item relevant, proportional, etc.	Respondent's theory for why item not relevant, proportional, etc.	Responding party's last offered resolution of the discovery issue	Moving party's last offered resolution of the discovery issue

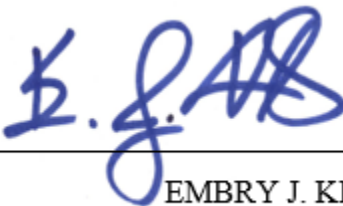
The purpose of the chart is to narrow the items in dispute and succinctly state each party's position with respect to any remaining item(s)/issue(s) in dispute, with an explanation for each item regarding the latest concessions offered during the ordered

conferral.

The undersigned notes that while the parties may utilize the Florida Rules of Civil Procedure form interrogatories as a starting point, those form interrogatories will be given no particular weight in this federal court action, and any discovery requests should be narrowly tailored to this specific case. Additionally, Plaintiff's repeated response that because Defendants deposed Plaintiff, they had ample opportunity to obtain the requested information is not well-taken and is an insufficient interrogatory answer. Moreover, Plaintiff cannot update, supplement, or change her answers to the discovery requests by way of responding in opposition to a motion. Finally, in addition to the chart required above, any future discovery motions should comply with the undersigned's Order on Discovery Motions, which the Court will enter separately in this case.

Accordingly, it is **ORDERED** that Defendants' Osceola County School District and Debra Pace's Motion to Compel Plaintiff's Answers to Interrogatories and Response to Requests for Production (Doc. 28) is **DENIED WITHOUT PREJUDICE**.

DONE and **ORDERED** in Orlando, Florida on November 6, 2023.



EMBRY J. KIDD
UNITED STATES MAGISTRATE JUDGE