

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

PARTNERS INSIGHT, LLC and
GULF COAST OPTOMETRY, P.A.,

Plaintiffs,

v.

Case No.: 2:22-cv-739-SPC-KCD

JENNIFER GILL, STEVEN GILL,
EYETASTIC SERVICES, LLC and
EYETASTIC RECRUITING, LLC,

Defendants.

ORDER

This matter came before the Court for oral argument on two discovery motions. (Doc. 130, Doc. 131.) For the reasons stated on the record, it is now

ORDERED:

1. Plaintiffs' Motion to Compel (Doc. 130) is **DENIED AS MOOT** because Defendants have agreed to produce electronic copies of the identified discovery on or before July 19, 2024. The Court orders Defendants to comply by that date or face sanctions. Plaintiffs' request for attorney fees under Rule 37 is denied.

2. Plaintiffs' Notice of Renewal of Motion to Compel Forensic Examination (Doc. 131) is **GRANTED IN PART AND DENIED IN PART**. The Court will order forensic examination of the external storage drive

referenced by defense counsel during the hearing. Plaintiffs' expert shall conduct the examination—Jim Persinger of PM Investigations, Inc.—at Plaintiffs' expense. To protect the disclosure of confidential or privileged information, Mr. Persinger shall not disclose the content of any files contained on the storage drive without first providing the same to defense counsel for a privilege review. The Court encourages the parties to meet and confer on additional protocols and protections should they be needed. The Court **DENIES WITHOUT PREJUDICE** Plaintiffs' motion to the extent it seeks examination of any additional devices.

ENTERED in Fort Myers, Florida on July 16, 2024.



Kyle C. Dudek
United States Magistrate Judge

Copies: All Parties of Record