

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

RESTORATIVE CARE OF AMERICA,
INC.,

Plaintiff,

v.

Case No. 8:22-cv-1404-KKM-AEP

DEAN JOSLOFF, an individual,

Defendant.

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ORDER

This matter comes before the Court upon Plaintiff's Motion for Reconsideration of Its Second Renewed Motion to Compel and for Sanctions (Doc. 161). The Court notes that Defendant did not file a response to the motion.

On November 4, 2024, this Court entered an Order on Plaintiff's Renewed Second Motion to Compel and for Sanctions (Doc. 154). Therein, the Court found Defendant had wholly neglected his discovery obligations and was thus subject to sanctions. Additionally, Defendant was prohibited from relying upon any arguments, information, documents, or data not previously disclosed in discovery as of October 10, 2024, in preparing his defense. In its Motion for Reconsideration, Plaintiff notes that Defendant has asserted counterclaims in this matter and expresses concern that the Court's prior Order leaves room for Defendant to rely on

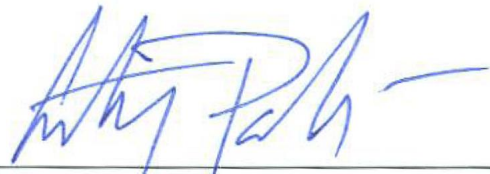
information not disclosed in discovery by October 10, 2024, in pursuit of these counterclaims. The Court finds Plaintiff's point is well-taken.

Accordingly, it is so

ORDERED:

1. Plaintiff's Motion for Reconsideration of Its Second Renewed Motion to Compel and for Sanctions (Doc. 161) is GRANTED.
2. Defendant is prohibited from relying upon any arguments, information, documents, or data not previously disclosed in discovery as of October 10, 2024, in asserting any claims, defenses, or counterclaims.

DONE AND ORDERED in Tampa, Florida, on this 11th day of December 2024.



ANTHONY E. PORCELLI
United States Magistrate Judge

cc: Counsel of Record