

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

OLUDAPO SOREMI and MODUPE
SOREMI,

Plaintiffs,

v.

Case No: 6:23-cv-58-ACC-LHP

FEDERAL INSURANCE COMPANY,

Defendant

ORDER

This cause came on for consideration without oral argument on the following motion filed herein:

**MOTION: DEFENDANT FEDERAL INSURANCE COMPANY'S
MOTION TO COMPEL ADEQUATE DISCOVERY
RESPONSES (Doc. No. 29)**

FILED: December 5, 2023

THEREON it is ORDERED that the motion is GRANTED.

Defendant Federal Insurance Company seeks to compel Plaintiffs Oludapo Soremi and Modupe Soremi to respond in full to Defendant's First Set of Interrogatories and First Requests for Production. Doc. No. 29; *see also* Doc. Nos.

29-1 through 29-4. While not entirely clear, it appears that Defendant is also requesting that Plaintiffs revise their privilege log to provide further detail. Doc. No. 29, at 2.

Plaintiffs, who at all times have been represented by counsel, have not responded to the motion, and their time for doing so has expired. *See* Doc. No. 22 ¶ 5 (providing that opposition briefing to a discovery motion must be filed no later than five days after the motion). *See also* Fed. R. Civ. P. 6(a)(1)(C). Accordingly, the Court deems the motion to be unopposed in all respects. *See* Doc. No. 22 ¶ 5 (stating that failure to file a timely response *will* result in the discovery motion being deemed unopposed). *See also Westchester Surplus Lines Ins. Co. v. Paramount Disaster Recovery, LLC*, Case No. 6:18-cv-1738-Orl-37DCI, 2019 WL 5294804, at *1 (M.D. Fla. Apr. 19, 2019) (“The Court routinely grants motions as unopposed where the opposing parties have not filed a response in opposition to the motion.”); *Bercini v. City of Orlando*, Case No. 6:15-cv-1921-Orl-41TBS, 2016 WL 11448993, at *2 (M.D. Fla. Sept. 28, 2016) (granting in full unopposed motion to compel); *Daisy, Inc. v. Pollo Operations, Inc.*, Case No. 2:14-cv-564-FtM-38CM, 2015 WL 2342951, at *1 (M.D. Fla. May 14, 2015) (when defendant did not respond court could consider motion to compel unopposed).

Upon review of the unopposed motion, and the related discovery attached, the Court finds Defendant's motion well taken.¹ Accordingly, it is **ORDERED** as follows:

1. Defendant Federal Insurance Company's Motion to Compel Adequate Discovery Responses (Doc. No. 29) is **GRANTED**.

2. On or before **January 5, 2024**, Plaintiffs shall produce all documents in their current possession, custody, or control responsive to Defendant's First Request for Production. *See* Doc. No. 29-2.

3. On or before **January 5, 2024**, Plaintiffs shall serve on Defendant complete, sworn answers to Defendant's First Set of Interrogatories. *See* Doc. No. 29-1.

4. All objections to the discovery at issue other than attorney client privilege have been waived by the failure to timely respond to the motion to compel. *See, e.g., Jackson v. Geometrica, Inc.*, Case No. 3:04-cv-640-J-20HTS, 2006 WL 213860, at *1 (M.D. Fla. Jan. 27, 2006) (objections not addressed in response to a motion to compel are deemed abandoned); *Bercini*, 2016 WL 11448993, at *2 (same);

¹ Defendant does not request an award of fees and costs or any other relief in its motion, *see* Fed. R. Civ. P. 37(a)(5); accordingly, the Court declines to award any further relief at this time.

LIMU Co., LLC v. Burling, Case No. 6:12-cv-347-Orl-TBS, 2013 WL 1482760, at *1 (M.D. Fla. April 11, 2013) (same).

5. On or before **January 5, 2024**, Plaintiffs shall serve on Defendant an amended privilege log clearly identifying all remaining documents withheld on the basis of attorney-client privilege. The privilege log must be in the form required by the Court's Standing Order Regarding Privilege Logs, *In Re: Procedure for Assertion of Privilege*, Case No. 6:19-mc-32-Orl-LRH (Doc. No. 1, June 17, 2019).

6. **Plaintiffs and Plaintiffs' counsel are advised that failure to comply with this Order may result in the imposition of sanctions. See Fed. R. Civ. P. 37(b).**

DONE and ORDERED in Orlando, Florida on December 13, 2023.



LESLIE HOFFMAN PRICE
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties