

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

CRYSTAL LAGOONS U.S. CORP.
et al,

Plaintiffs,

v.

Case No. 8:23-cv-519-TPB-AEP

OASIS AMENISTIES, LLC, et al,

Defendants.

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ORDER

This cause comes before the Court upon Defendants', Com Pac Filtration, Inc. and Unique Aquatic Design, Inc., Motion for Sanctions (Doc. 180) and Plaintiff's Response (Doc. 197). By their Motion, Defendants argue Plaintiffs have failed to allege with particularity the trade secrets asserted against them despite this Court's direction to do so and should thus be subject to the severest of sanctions under Rule 37(b). *See* Fed. R. Civ. P 37(b)(2)(A) (discussing the host of penalties a court may impose for a party's failure to obey a discovery order). The Court held a hearing on the matter on August 16, 2024. (Doc. 204).

For the reasons stated at the hearing, Plaintiff's motion is denied. The Court finds the severest sanctions are unwarranted as the record indicates Plaintiffs have complied with this Court's discovery orders and adequately identified their alleged trade secrets. Moreover, there is no evidence that Plaintiffs committed any willful discovery violations. The Court notes that the heart of Defendants' argument goes

to the merits of Plaintiffs' claims against them – an issue best left for resolution on a summary judgment motion. Accordingly, it is hereby

ORDERED:

1. Defendants Com Pac Filtration, Inc. and Unique Aquatic Design, Inc.'s Motion for Sanctions. (Doc. 180) is DENIED.¹

DONE and ORDERED in Tampa, Florida, on this 4th day of September 2024.



ANTHONY E. PORCELLI
United States Magistrate Judge

cc: Counsel of Record

¹ Given the voluminous production of documents related to Plaintiff's alleged trade secrets, Defendants request for leave to conduct additional depositions is denied without prejudice. Defendants are to go forward with the depositions currently scheduled, and if an agreement as to additional depositions cannot be reached amongst the parties, the issue may be raised again before this Court.