

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

CAMILLE ROBINSON,

Plaintiff,

v.

Case No. 8:23-cv-626-SDM-SPF

JEFFREY TURNER, GOVERNMENT
EMPLOYEES INSURANCE COMPANY,

Defendants.

ORDER

This cause comes before the Court upon Plaintiff's Motion to Compel Initial Discovery Responses (Doc. 51). Defendant Jeffrey Turner has not responded to the motion, and the time to do so has expired. *See* L.R. 3.01(c), M.D. Fla. (party opposing motion must file response in opposition within 14 days after service). Therefore, the motion is deemed unopposed. *See id.* ("If a party fails to timely respond, the motion is subject to treatment as unopposed."); *Legends Collision Ctr., LLC v. State Farm Mut. Auto. Ins. Co.*, No. 6:14-cv-6006-ORL-31TBS, 2016 WL 3406409, at *1 (M.D. Fla. June 21, 2016) (stating that a party's failure to respond to a motion indicates the motion is unopposed).

Plaintiff asks the Court to compel Defendant Jeffrey Turner to respond to its Interrogatories (Doc. 51-1) and Requests to Produce (Doc. 51-2), which were served on Defendant on December 8, 2023. Defendant's responses were due on January 8, 2024, and Defendant failed to respond or timely request an extension. On May 29, 2024, Plaintiff contacted Defendant to inquire about the discovery. On June 7, 2024, the parties had a phone conference regarding the outstanding discovery, and Plaintiff provided Defendant an extension to June 21, 2024 to respond to the discovery. On August 14, 2024, Plaintiff filed

this Motion to Compel as she had yet to receive the requested discovery. As Defendant has not opposed the motion to compel, the motion is granted.

Defendant Jeffrey Turner shall serve Plaintiff with the requested discovery within 21 days of this Order without objection. *See* Middle District Discovery (2021) at III.A.6. and IV.B. (absent compelling circumstances, failure to assert objections to a request for production or an interrogatory within the time frame for answers constitutes a waiver and will preclude a party from asserting the objection in response to a motion to compel); *see also United States v. Wilkins*, No. 8:14-cv-993-T-17JSS, 2017 WL 4182342, at *1 (M.D. Fla. Sept. 21, 2017) (objections are deemed waived when a party fails to timely object to interrogatories, production requests, or other discovery efforts).

Accordingly, it is hereby

ORDERED:

Plaintiff's Motion to Compel Initial Discovery Responses (Doc. 51) is **GRANTED**. Defendant Jeffrey Turner shall serve Plaintiff with the requested discovery within 21 days of the date of this Order without objection.

ORDERED in Tampa, Florida, September 24, 2024.



SEAN P. FLYNN
UNITED STATES MAGISTRATE JUDGE