

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

BRYCE RASNAKE,

Plaintiff,

v.

Case No. 8:23-cv-1706-KKM-AAS

**ONE 2019 26' MONTEREY BOATS
M-65, et al.,**

Defendants.

ORDER

Plaintiff Bryce Rasnake moves to compel discovery responses from Defendants Alicia Nicole Long, Jason Jeffry Long, and Joshua Long (collectively, the Longs). (Doc. 46). The Longs failed to produce any discovery responses to either Mr. Rasnake's requests for production or his interrogatories at the time of filing. (Doc. 46, p. 2). Mr. Rasnake stated "[i]f the overdue discovery is produced then the Plaintiff will withdraw this Motion to Compel." (Doc. 50, p. 3). In response to Mr. Rasnake's motion, the Longs stated they subsequently produced discovery responses. (Doc. 49).

The undersigned directed Mr. Rasnake to advise the court whether the Longs' production resolved his motion to compel. (Doc. 50). Mr. Rasnake instead outlines certain responses he believes to be deficient in response to

the court's order. (Doc. 51, pp. 3–6). For the reasons set forth below, Mr. Rasnake's Motion to Compel (Doc. 46) is **DENIED without prejudice**.

Mr. Rasnake failed to include a memorandum of law in his motion to compel. *See* Local Rule 3.01(a) (“A motion must include [. . .] a concise statement of the precise relief requested, a statement of the basis for the request, and a legal memorandum supporting the request.”). On this basis alone, Mr. Rasnake's motion to compel (Doc. 46) is due to be **DENIED without prejudice** for failure to comply with the Local Rules.

Mr. Rasnake's response to the court's order requests an extension of time to respond to the Longs' pending motion for summary judgment (Doc. 47) and outlines discovery disputes from the Longs' discovery responses. (Doc. 51, pp. 3–6). Mr. Rasnake's Local Rule 3.01(g) certification of conferral only addresses the Longs' agreeability to Mr. Rasnake's requested extension of time to respond to the motion for summary judgment. (Doc. 51, p. 7). Before court intervention is necessary, the parties must attempt to resolve the discovery disputes. If Mr. Rasnake wishes to refile his motion to compel, the parties must first engage in a meaningful, substantive conferral addressing Mr. Rasnake's claimed deficiencies.

Accordingly, Mr. Rasnake's Motion to Compel (Doc. 46) is **DENIED without prejudice**.

ORDERED in Tampa, Florida on July 25, 2024.

Amanda Arnold Sansone

AMANDA ARNOLD SANSONE
United States Magistrate Judge