

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

STAYCY N. FRANK,

Plaintiff,

v.

Case No. 8:23-cv-2596-WFJ-AAS

THE BUILDING INDUSTRY
CONSULTING SERVICE
INTERNATIONAL, INC.,

Defendants.

_____ /

ORDER

Defendant The Building Industry Consulting Service International, Inc. (BICSI) moves for an order compelling Plaintiff Staycy Frank to respond to BICSI's outstanding discovery requests. (Doc. 59). At the time of BICSI's filing, the discovery deadline had passed. (Doc. 57). BICSI failed to file a motion for an extension of the discovery deadline or any justification for this belated motion.

While parties may conduct discovery after the court's deadline, "they cannot expect the court to resolve their post-deadline discovery disputes." *Fin. Info. Techs., LLC v. iControl Sys., USA, LLC*, No. 8:17-CV-190-T-23MAP, 2018 WL 8545873, *2 (M.D. Fla. June 12, 2018). Thus, BICSI's motion to compel is due to be denied. *See Chrysler Int'l Corp. v. Chemaly*, 280 F.3d

1358, 1360 (11th Cir. 2002) (“[W]e accord district courts broad discretion over the management of pre-trial activities, including discovery and scheduling.”) (citing *Johnson v. Bd. of Regents of Univ. of Georgia*, 263 F.3d 1234, 1269 (11th Cir. 2001)); *see also* Middle District Discovery (2021) (I)(F) (“Counsel, by agreement, may conduct discovery after the formal completion date but should not expect the Court to resolve discovery disputes arising after the discovery completion date.”). Although the court denies the untimely motion on procedural grounds, this order should not be construed as a ruling on the substantive merits of the requests in the motion.

Accordingly, BICSI’s motion to compel (Doc. 59) is **DENIED**. If Plaintiff Frank includes withheld statements or affidavits on her list of trial exhibits, this order does not preclude BICSI from moving the court for an order precluding their introduction as evidence.

ORDERED in Tampa, Florida on December 26, 2024.



AMANDA ARNOLD SANSONE
United States Magistrate Judge