

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

MICHAEL TRAINI,

Plaintiff,

v.

Case No. 8:24-cv-639-JSM-AAS

**ALL CRAFT MARINE, LLC, a Florida
limited liability company and LLOYD
R. “SKIP” SORENSON, individually,**

Defendants,

_____ /

ORDER

Plaintiff Michael Traini moves for an order compelling Defendants All Craft Marine LLC and Lloyd R. “Skip” Sorenson (collectively, the defendants), to each complete Fact Information Form 1.977, including all required attachments, pursuant to Federal Rule of Civil Procedure 69(a)(2) and Florida Rule of Civil Procedure 1.560(b). (Doc. 21).

On June 28, 2024, default judgment was entered in the plaintiff’s favor against the defendants in the amount of \$31,403.28. (Doc. 16). On July 26, 2024, judgment was entered in the plaintiff’s favor against the defendants for attorney’s fees in the amount of \$6,975.16. (Doc. 20). Under Federal Rule of Civil Procedure 69, “[i]n aid of the judgment or execution, the judgment

creditor . . . may obtain discovery from any person – including the judgment debtor – as provided in these rules or by the procedure of the state where the court is located.” Fed. R. Civ P. 69(a)(2); *In re Clerici*, 481 F.3d 1324, 1336 (11th Cir. 2007) (“Rule 69(a) itself does not prescribe a practice and procedure for gathering evidence, but gives the judgment creditor the choice of federal or state discovery rules.”). Under Florida’s Rule 1.560(b), upon a judgment creditor’s request, the court “shall order the judgment debtor . . . to complete form 1.977, including all required attachments, within 45 days of the order” and the judgment debtor’s “[f]ailure to obey the order may be considered contempt of court.” Fla. R. Civ. P. 1.560(b).

Pursuant to Florida Rule 1.560(b), the plaintiff is entitled to the relief it requests in the motion. *See PNC Bank, N.A. v. Kimbrough & Assocs., LLC*, No. 6:13-cv-1558-Orl-28KRS, 2015 WL 327533, at *12–13 (M.D. Fla. Jan. 23, 2015); *Am. Home Assur. Co. v. Weaver Aggregate Transp., Inc.*, 298 F.R.D. 692, 693 (M.D. Fla. 2014) (granting judgment creditor’s motion to require judgment debtors to complete Form 1.977).

Accordingly, it is **ORDERED**:

1. The plaintiff’s motion for order directing the defendants to each complete Fact Information Form 1.977 (Doc. 20) is granted.

2. The plaintiff is directed to mail copies of the motion (Doc. 21), the Fact Information Form 1.977, and this order to the defendants and file a notice of compliance by **September 5, 2024**.

3. The defendants are directed to complete Fact Information Form 1.977 and mail it and all required attachments to the plaintiffs' counsel, at R. Michael Pierro, Jr., 146 2nd St N, Ste 310, St. Petersburg, FL 33701-3361, by **October 18, 2024**.

ENTERED in Tampa, Florida on August 30, 2024.



AMANDA ARNOLD SANSONE
United States Magistrate Judge