

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

CASE NO. 16-80353-CV-MARRA/MATTHEWMAN

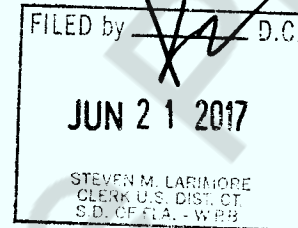
SILVER CREEK FARMS, LLC,
an Oklahoma limited liability company,

Plaintiff,

v.

MAGGIE FULLINGTON,

Defendant.



FURTHER ORDER ON PENDING MOTIONS

THIS CAUSE is before the Court upon Plaintiff, Silver Creek Farms, LLC's ("Plaintiff") Motion for Hearing for Entry of Pre-Judgment Writ of Replevin [DE 44], Emergency Motion for Inspection of the Stallion Apiro [DE 56], Motion for Sanctions [DE 60], and Renewed Motion for Sanctions with Incorporated Memorandum of Law [DE 69]. This matter was referred to the undersigned by United States District Judge Kenneth A. Marra. *See* DEs 17, 48. The Court held two telephonic hearings on the pending motions on June 21, 2017,¹ and heard argument from counsel. *See* DEs 72, 73.

As stated at the telephonic hearing, it is hereby **ORDERED AND ADJUDGED** as follows:

1. Defendant shall respond to Plaintiff's outstanding discovery requests, including interrogatories, requests for production, and requests for production of documents in the

¹ These telephonic hearings follow prior hearings and Orders [DEs 58, 62, 63, 66, 68, 70] which addressed issues raised in the pending motions.

Subpoena Duces Tecum from Plaintiff's Notice of Taking Video Deposition Duces Tecum [DE 34-1], on or before **June 30, 2017**.


2. Defendant Maggie Fullington's deposition shall proceed on **July 3, 2017 at 10:00 a.m.** at Chapman Law Group, 12008 South Shore Blvd., Ste. 107, Wellington, FL 33414.² Defendant is **ORDERED** to appear for her deposition on that date and time. The Court reserves jurisdiction to consider the imposition of any sanctions on Defendant Fullington for her failure to appear for her previously scheduled deposition and will issue an order in due course, as discussed below.
3. The discovery deadline in this case was originally May 15, 2017. [DE 17]. However, District Judge Kenneth A. Marra extended the discovery deadline to July 15, 2017.³ See DE 33. The original substantive pretrial motion deadline was June 30, 2017. [DE 17]. In light of the extension of the discovery deadline, the Court hereby extends the substantive pretrial motion deadline to **July 30, 2017**.
4. As to Plaintiff's Motion for Hearing for Entry of Pre-Judgment Writ of Replevin [DE 44], Defendant shall file a written response to Plaintiff's Motion on or before **July 7, 2017**. Plaintiff shall file a reply to Defendant's response on or before **July 21, 2017**. After briefing, the Court will determine whether an evidentiary hearing on the Motion is necessary or whether the Court will rule on the papers submitted by the parties.

² Plaintiff's deposition shall also be completed before the discovery deadline of July 15, 2017, if promptly and timely noticed by Defendant.

³ At the June 21, 2017 telephonic hearings, counsel for the parties argued about whether a further extension of the discovery deadline and substantive pretrial motion deadline was necessary and the proposed length of any such extensions. Counsel could not come to an agreement on a proposed date certain for any such extension. Further, Plaintiff wants to stay on the two-week trial calendar of December 4, 2017, but also wants a lengthy extension of the discovery deadline and substantive pretrial motion deadline. The Court explained to the parties that a lengthy extension of the discovery deadline and the substantive pretrial motion deadline will affect the trial date as the Court needs sufficient time for the substantive pretrial motions to become ripe and be ruled upon. If the parties wish to ask for a further extension of any pretrial deadlines they shall promptly file a motion with the Court.

5. As to Plaintiff's Emergency Motion for Inspection of the Stallion Apiro [DE 56], the Motion is **DENIED AS MOOT** in light of the Court's Order on Pending Motions [DE 70] entered on June 21, 2017.
6. As to Plaintiff's Motion for Sanctions [DE 60] and Renewed Motion for Sanctions with Incorporated Memorandum of Law [DE 69], the Court has ordered Defendant to respond to discovery and appear for her deposition, as stated above. Defendant shall file a response to both motions for sanctions on or before **July 12, 2017**. Plaintiff shall file a reply to Defendant's response on or before **July 21, 2017**. The Court will then determine what sanctions, if any, will be imposed or schedule a hearing on the motions, if deemed necessary.

DONE AND ORDERED in Chambers at West Palm Beach, Palm Beach County, Florida, this 21st day of June, 2017.


WILLIAM MATTHEWMAN
UNITED STATES MAGISTRATE JUDGE