UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNIVERSITY OF SOUTH FLORIDA RESEARCH FOUNDATION	:	
v.	:	CASE NO. 8:16-CV-1194-35TGW
FUIJFILM MEDICAL SYSTEMS USA, INC.	:	

ORDER

THIS CAUSE came on for consideration upon the Plaintiff/Counterclaim Defendant's Motion to Compel Responses to Request for Production of Software Source Code and Related Documents (Doc. 65) and Plaintiff/Counterclaim Defendant's Amended Motion to Compel Responses to Request for Production of Software, Source Code and Related Documents (Doc. 78). This amended motion was filed just prior to the court's entry of an Order denying the first Motion to Compel Responses to Request for Production of Software Source Code and Related Documents (Doc. 65) and cancelling the hearing because it did not comply with Local Rule 3.04(a) and it appeared that the parties may have resolved part of the dispute.

The Plaintiff/Counterclaim Defendant's Amended Motion to Compel Responses to Request for Production of Software, Source Code and Related Documents (Doc. 78) also does not comply with Local Rule 3.04(a).

That rule provides:

> A motion to compel discovery pursuant to ... Rule 37, Fed. R. Civ. P., shall include quotation in full of each...request for production to which the motion is addressed, each of which shall be followed immediately by quotation in full of the objection and grounds therefor as stated by the opposing party, or the answer or response which is asserted to be insufficient, immediately followed by a statement of the reason the motion should be granted.

The movant did not follow this format in that it does not state immediately after each request for production the reasons why that particular request should be granted. This format will help facilitate the court's resolution of the motion.

In light of these circumstances, the hearing will be cancelled, and the motions to compel will be denied without prejudice to the plaintiff filing a revised motion to compel which complies with Local Rule 3.04(a).

It is therefore, upon consideration,

ORDERED:

1. That the Plaintiff/Counterclaim Defendant's Motion to Compel Responses to Request for Production of Software Source Code and Related Documents (Doc. 65) is hereby **DENIED without PREJUDICE**.

2. Plaintiff/Counterclaim Defendant's Amended Motion to Compel Responses to Request for Production of Software, Source Code and

Related Documents (Doc. 78) is hereby **DENIED without PREJUDICE**.

3. That the hearing on the Motion to Compel Responses to Request for Production of Software Source Code and Related Documents (Doc. 65), scheduled for May 17, 2017 (Doc. 74), is **CANCELLED**.

DONE and ORDERED at Tampa, Florida, this 4th day of May, 2017.

THOMAS G. WILSON
UNITED STATES MAGISTRATE JUDGE