

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re: Lindell Management LLC Litigation

Case No. 23-CV-1433 (JRT/DJF)

ORDER

This matter is before the Court on Petitioner Robert Zeidman’s Third Motion to Compel Responses to Post-Judgment Discovery (“Motion”), filed December 9, 2024 (ECF No. 101). Petitioner alleges that Respondent Lindell Management LLC (“Lindell”) has not complied with its discovery obligations. (*See* ECF No. 103 at 4-6.) Specifically, Petitioner states that Lindell has failed to: (1.) provide Petitioner with the password to access QuickBooks files that Lindell previously produced; (2.) produce documents responsive to Petitioner’s Request for Production No. 5; and (3.) verify its amended response to Interrogatory No. 7 as required by Federal Rule of Civil Procedure 33. (*Id.*) Petitioner asks the Court to order Lindell to rectify these deficiencies. (*Id.* at 6-7.)

Lindell did not file a response to the Motion. *See* L.R. 7.1(b)(2) (establishing that a response to a non-dispositive motion is due seven days after the motion is filed). “When a party fails to respond [to a motion], that is an indication that the motion is unopposed.” *Catano v. VR District Limited Partnership*, Case No. 6:19-CV-1787 (WWB/GJK), 2020 WL 13827620, at (M.D. Fla. Aug. 27, 2020), *report and recommendation adopted*, 2020 WL 13827620 (M.D. Fla. Sept. 15, 2020). Because Lindell did not oppose the Motion, the Court finds these discovery requests are reasonable and grants the motion. *See* L.R. 7.1(g)(6) (“If a party fails to timely file and serve a memorandum of law, the court may ... take any other action that the court considers appropriate.”); *Smith v. Nat’l*

Flood Ins. Program of the Fed. Emergency Mgmt. Agency, 156 F. Supp. 2d 520, 522 (E.D. Pa. 2001) (granting motion to dismiss on certain claims as unopposed because opposing party did not respond to movant's arguments in favor of dismissal).

ORDER

Based on the foregoing, and on all the files, records, and proceedings here, **IT IS HEREBY ORDERED** that:

1. Petitioner Robert Zeidman's Third Motion to Compel Responses to Post-Judgment Discovery (ECF No. 101) is **GRANTED**; and
2. Respondent Lindell Management LLC shall, on or before **January 21, 2025**:
 - a. Provide Petitioner the password to all responsive documents that are password-protected or, alternatively, reproduce all password-protected documents in a non-password-protected format that is easily viewable by Petitioner;
 - b. Produce all documents responsive to Request for Production No. 5; and
 - c. Provide Petitioner a signed verification for Lindell's amended response to Interrogatory No. 7, in accordance with Federal Rule of Civil Procedure 33.

Dated: January 6, 2025

s/ Dulce J. Foster

DULCE J. FOSTER

United States Magistrate Judge