

IN THE COUNTY COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, STATE OF FLORIDA
SMALL CLAIMS DIVISION

SOUTH ORLANDO CHIROPRACTIC CARE,
(A/A/O JOEL JASMIN),

Plaintiff,

-vs-

CASE NO.: 17-CC-022034

WINDHAVEN INSURANCE COMPANY,

Defendant.

ORDER

THIS MATTER having come before the court on October 22, 2018 on Plaintiff's Second Motion for Sanctions and Defendant's Motion for Sanctions. Timothy A. Patrick appeared for Plaintiff. John Mollaghan appeared for Defendant. The court having reviewed the file, considered the motions, the arguments presented by counsel, applicable law, and being otherwise fully advised, makes the following findings,

1. The parties shall appear at noticed depositions and answer all questions. Only questions calling for attorney client or work product privilege may not be answered.
2. A Motion for Protective Oder must be filed and set for hearing if a party is not going to appear for a noticed deposition.
3. Discovery in a civil case is broader than merely the allegations in the Complaint.
4. Plaintiff's questions to Defendant which Defendant's counsel instructed his client not to answer were reasonably calculated to lead to admissible evidence. When

Defendant's counsel terminated the deposition, Plaintiff's questions were within the proper scope of the aforementioned rules.

5. The scope of a Corporate Representative deposition is set out in the Notice of Taking Deposition.
6. Defendant shall bear the costs of the re-scheduled Defendant Corporate Representative deposition.
7. The deposition of Defendant's Corporate Representative shall be resumed on a date and time within 45 days of this hearing. The Notice of Taking Deposition with listed scope of inquiry shall be filed within 15 days.
8. The deposition of Plaintiff's Corporate Representative shall occur within 75 days of this hearing. The Notice of Taking Deposition with listed scope of inquiry shall be filed within 15 days.
9. Plaintiff's Second Amended Complaint is deemed filed on October 22, 2018. Defendant has 20 days to respond.

ORDERED and ADJUDGED in Chambers, at Tampa, Hillsborough County,

Florida on this _____ day of _____, 2018.

Electronically Conformed 10/25/2018

~~HONORABLE~~ ALISSA M. ELLISON
Hillsborough County Judge

Copies to:
Timothy A. Patrick, Esq.
John Mollaghan, Esq.