

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
CIVIL DIVISION

Plaintiff,

v.

Case Number: _____

Defendant.

_____ /

MOTION FOR ORDER COMPELLING DESIGNATION AND AUTHORIZING THIRD PARTY SUBPEONA

Plaintiff _____ moves this Court for an order under Rules 1.350 and 1.380(a)(2) of the Florida Rules of Civil Procedure:

- (a) authorizing the issuance of a third party subpoena; and
- (b) directing Defendant, to designate deponents to testify on its behalf at deposition.

This motion is made on the following grounds:

Non-Party Production:

1. Plaintiff served notice of her intention to subpoena records from the Fl. Department of Motor Vehicles, for license information pertaining to their employee, who injured Plaintiff while driving a motor vehicle. [Attached hereto as Exhibit "A"] Despite an over yearlong request, Defendant has been unable or unwilling to produce a current copy of their employees driver's license.
2. Defendant served an objection to the non-party production, without complying with Fla. R. Civ. P. 1.350(b) which requires that if an objection to a third party subpoena is made, "*the*

reasons for the objection shall be stated". [Exhibit "B"]. Defendant gave no reason for their objection.

Designation of Deponents:

3. Plaintiff served a Rule 1.310(b)(6) disclosure, including a description of the subject matters on which examination was requested, on June 1, 2012 to counsel for the Defendant. [Exhibit "C"]

4. Defendant filed an objection to designation, on grounds that a discovery deposition of a party defendant was "burdensome" "over broad" and "irrelevant". [Exhibit "D"]. Beyond the use of these boilerplate labels, no explanation was provided.

3. This motion is based on the pleadings and papers filed in this action, and on any oral and documentary evidence that may be presented at the hearing on the motion.

WHEREFORE the Plaintiff prays for an Order authorizing the issuance of the described non-party subpoena, and for an Order compelling designation of deponents to testify on behalf of the party Defendant.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by email to opposing_counsel@example.com Opposing Counsel, 123 Main Street, Any City, Florida.

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