

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

EQUAL EMPLOYMENT)	
OPPORTUNITY COMMISSION and)	
REBEKAH WOMACK PETROWSKI)	
)	
Plaintiffs,)	
)	
v.)	Civil No. <u>05-2611 M1/P</u>
)	
HILL BOREN P.C.,)	
)	
Defendant.)	

ORDER DENYING AS MOOT DEFENDANT'S MOTION TO COMPEL

Before the court is defendant Hill Boren, P.C.'s Motion to Compel Plaintiff's Initial Disclosures and Answers to Interrogatories and Production of Documents, filed August 10, 2006 (D.E. 28). In its motion, defendant contends that plaintiff Rebekah Petrowski has not provided defendant with her initial disclosures and has not responded to outstanding discovery requests, in violation of the scheduling order and the federal rules. Defendant also asks for attorney fees.

On August 23, 2006, plaintiff Petrowski filed a response in opposition to the motion, stating that on August 16, 2006, she provided defendant with her initial disclosures, documents in response to defendant's request for production of documents, and unsigned draft of her answers to defendant's first set of interrogatories. A final signed copy of Petrowski's answers to interrogatories was submitted on August 21, 2006.

As it appears to the court that plaintiff has now provided

defendant with initial disclosures and answers to defendant's document requests and interrogatories, the motion to compel is DENIED as moot. Defendant's request for attorney fees is DENIED. However, if Petrowski does not timely respond to discovery requests in the future, defendant may renew its motion for attorney fees.

IT IS SO ORDERED.

S/ Tu M. Pham

TU M. PHAM
United States magistrate Judge

August 28, 2006

Date