<<COURT\_NAME>>

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| <<PROVIDER\_SUITNAME>>,  a/a/o <<INJUREDPARTY\_NAME>>    Plaintiff,  vs.  <<INSURANCECOMPANY\_SUITNAME>>  Defendant.  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/ | Case No. <<INDEXORAAA\_NUMBER>> |

**PLAINTIFF’S EX-PARTE MOTION TO COMPEL RESPONSES TO DISCOVERY**

Plaintiff, <<PROVIDER\_SUITNAME>>, by and through the undersigned counsel, hereby files this Ex-Parte Motion to Compel Discovery as to Defendant, <<INSURANCECOMPANY\_SUITNAME>>, and in support thereof further states:

1. Discovery consisting of interrogatories, request for production and/or request for admissions were propounded upon Defendant, <<INSURANCECOMPANY\_SUITNAME>>.

2. Defendant has failed to file timely responses to Plaintiff’s discovery requests and the same are now overdue.

4. Defendant, <<INSURANCECOMPANY\_SUITNAME>>, has the ability to comply with the foregoing discovery and there are no outstanding extensions, continuances, or objections pertinent to the discovery.

5. Defendant, <<INSURANCECOMPANY\_SUITNAME>>, has waived any right to object to the above referenced discovery by failing to file a specific and applicable objection.

6. The failure to timely respond to discovery or state an objection constitutes a waiver of all possible objections. American Funding, Ltd. V. Hill, 402 So.2d 1369 (Fla. 1st DCA 1981).

7. The failure of Defendant, <<INSURANCECOMPANY\_SUITNAME>>, to file timely responses to the discovery is prejudicial to the Plaintiff and the ability to prosecute this case.

8. The undersigned certifies that a true and correct copy of this Motion was

served to Plaintiff’s counsel in a good-faith effort to resolve this discovery dispute without court action, in compliance with Fla. R. Civ. P. 1.380.

9. Plaintiff is submitting a proposed ex-parte Order simultaneously with the filing of this Motion, and the Court upon entering such ex-parte Order will require the Defendant to respond to Plaintiff’s discovery requests within ten (10) days of entry of this Order.

WHEREFORE, Plaintiff, <<PROVIDER\_SUITNAME>>, respectfully requests that the Court enter an ex-parte Order granting this Motion and compelling <<INSURANCECOMPANY\_SUITNAME>>, to provide responses to the discovery referenced herein within ten (10) days of this Court’s signed Order, deeming any objections Defendant may have as waived, except for those based on privilege, and grant such other further relief that is just and appropriate under the circumstances.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on February 19, 2022, a true and correct copy of the foregoing was filed and served on the Defendant through Florida Courts E-Filing Portal.

**Florida Insurance Law Group, LLC**

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