

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR
COLLIER COUNTY FLORIDA**

File No.: 22-CP-3062

IN RE:

ESTATE OF LYNN E. BAKER

/

ORDER GRANTING
MCPA'S MOTION TO COMPEL DISCOVERY RESPONSE
BY PERSONAL REPRESENTATIVE

On "MCPA'S Motion to Compel Discovery Response By Personal Representative," filed August 24, 2023 [D.E. 179] the Court, having reviewed the Motion and being otherwise dully advised in the premises, hereby rules as follows:

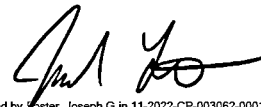
1. MCPA filed and served its First Request for Production of Documents on the Personal Representative, Lynne Marley Baker, on July 17, 2023 [D.E. 173].
2. The docket is devoid of any of the following items:
 - a. Notice of the Personal Representative responding to the document production request;
 - b. Objection to the document production request;
 - c. Motion to extend the time for responding to the document production request;
and
 - d. Court Order extending the time for responding to the document production request.
3. Accordingly, the Court rules that there has been a complete failure to respond to the document production request.

4. The court also rules that all objections to the discovery response that can be waived by a complete failure to respond are deemed waived.

5. The Court has reviewed the Certificate of Good Faith included in the Motion and finds it compliant, in that Movant, through counsel, attempted to resolve this matter on three separate occasions but that counsel for the Personal Representative did not respond to the three attempts to resolve the matter.

6. The Court also determines that the granting of this Motion without a hearing is permitted in that the Motion was served on counsel for the Personal Representative at least seven days prior to the submission of this order in draft form to chambers.

WHEREFORE, the Court hereby GRANTS the Motion. The Personal Representative shall have 15 days from the date herewith within which to respond to the First Request for Production of Documents on the Personal Representative, Lynne Marley Baker.



eSigned by Foster, Joseph G in 11-2022-CP-003062-0001-XX 09/29/2023 15:15:42 xmrfKJhj

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