

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JOBINA WILLIAMS,
Plaintiff,

vs.

FALCON HEADWEAR, INC.,
Defendant.

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CIVIL ACTION H-05-3439

ORDER

Plaintiff Jobina Williams has filed a second motion to compel discovery (Dkt. 34-1) in this Title VII retaliation case.¹ In addition to requesting production of materials, Williams requested attorney's fees totaling \$2,062.50. This court previously issued an order (Dkt. 33) denying Williams's motion to compel, including attorney's fees (Dkt. 28). The prior order denying the motion to compel discovery was premised on Falcon Headwear's agreement (Dkt. 32) to provide the materials requested by Williams. Falcon Headwear has failed, despite indicating a willingness to comply with the discovery request, to provide the requested materials to Williams. Falcon Headwear has also failed to respond to the second motion to compel and has failed to object or provide a reason for failing to provide the requested materials. Accordingly,

¹ The district court has referred this case to this magistrate judge for pretrial management. (Dkt. 4).

IT IS ORDERED that Plaintiff's second motion to compel the same discovery is GRANTED. Defendant is hereby ordered to provide the information or documents requested in Plaintiff's request for production nos. 4, 9, 35, and 43.

IT IS FURTHER ORDERED that Defendant provide Plaintiff with a privilege log detailing all documents that have been withheld on the basis of privilege within 10 days of this order.

IT IS FURTHER ORDERED that Defendant appear before this court on Wednesday, October 4, 2006 at 2:00 p.m., Courtroom 702, 515 Rusk, Houston Texas, and show cause why it should not be ordered to pay Plaintiff \$2,062.50 in attorney's fees under Rule 37(a)(4) for Plaintiff having to bring the first and second motions to compel discovery.

Signed at Houston, Texas on September 26, 2006.


Stephen Wm Smith
United States Magistrate Judge