

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION**  
CASE NO. 08-20385-CIV-GRAHAM/TORRES

WILLIAM APPEL, ROY WIIK  
et al.,

Plaintiffs,

vs.

LIBERTY AMERICAN INSURANCE  
COMPANY, a Florida corporation,  
et al.,

Defendants.

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**ORDER OF REFERENCE OF MOTIONS**

PURSUANT to 28 U.S.C. § 636 and the Magistrate Rules of the Local Rules of the Southern District of Florida, the following motions in the above-captioned cause are hereby referred to United States Magistrate Judge **Torres** to take all necessary and proper action as required by law:

1. All Discovery Motions.

**ORDERED AND ADJUDGED** that the parties shall follow the attached discovery procedures for Magistrate Judge Torres, which is also available on this Court's website at [www.flsd.uscourts.gov](http://www.flsd.uscourts.gov) for Honorable Donald L. Graham found under Judge Information.

**DONE AND ORDERED** at Miami, Florida, this 12th day of May, 2010.



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DONALD L. GRAHAM

UNITED STATES DISTRICT JUDGE

cc: U.S. Magistrate Judge Torres  
All Counsel of Record

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**DISCOVERY PROCEDURES FOR  
MAGISTRATE JUDGE EDWIN G. TORRES**

The following discovery procedures apply to all civil cases assigned to United States District Judge Donald L. Graham.

If parties are unable to resolve their discovery disputes without Court intervention, Magistrate Judge Edwin G. Torres will hold a regular discovery calendar every Friday, from 1:30 p.m. to 3:00 p.m. at the C. Clyde Atkins Courthouse, 301 N. Miami Avenue, 4<sup>th</sup> Floor, Miami, Florida 33128. The parties should confirm the courtroom location with Chambers the day before the hearing.

If a discovery dispute arises, prior to filing a written motion, the moving party shall contact Magistrate Torres' chambers at (305) 523-5750 and place the matter on the next available discovery calendar. The movant shall contact Chambers no later than noon on the Friday preceding the discovery calendar, and shall do so after conferring with opposing counsel and confirming his or her availability for the discovery calendar.

On the same day that the matter is placed on the discovery calendar, the movant shall provide notice to all relevant parties by filing a Notice of Hearing and serving a copy on opposing counsel through the Court's electronic docketing system. The Notice of Hearing shall identify the substance of the discovery matter to be heard. (For example, "Notice of Hearing on Plaintiff's Interrogatory Nos. 1, 4-7, and 10.") Ordinarily, no more than ten (10) minutes per side will be permitted. The movant shall include in this Notice of Hearing a certificate of good faith that complies with S.D. Fla. L. R. 7.1 (A) (3).

The movant shall provide Magistrate Judge Torres a copy of all source materials relevant to the discovery dispute, via hand-delivery or through a scanned PDF document that is emailed to the CM/ECF mailbox (torres@flsd.uscourts.gov), no later than noon on the Monday preceding the discovery calendar. (For example, if the dispute concerns interrogatories, the interrogatories at issue and the response thereto, shall be provided to Magistrate Judge Torres' Chambers.)

No written discovery motions, including motions to compel, for protective order, or related motions for sanctions shall be filed unless directed by the Court at the discovery calendar. This procedure is intended to minimize the need for discovery motions.

The Court expects all parties to engage in reasonable compromise to facilitate the resolution of their discovery disputes. The Court may impose sanctions, monetary or otherwise, if the Court determines discovery is being improperly sought or is being withheld in bad faith.