

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 18-80311-CIV- REINHART

DIAMOND RESORTS INTERNATIONAL, INC.,  
et al.,

Plaintiffs,

v.

US CONSUMER ATTORNEYS, P.A., et al.,

Defendants.

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**ORDER MEMORIALIZING DISCOVERY RULINGS**

**THIS CAUSE** has come before the Court upon the parties' request for a discovery hearing. The Court conducted a discovery hearing on October 15, 2019, and having heard from the parties and for the reasons stated on the record, it is hereby **ORDERED AND ADJUDGED** that:

1. Plaintiffs Diamond Resorts U.S. Collection Development, LLC, and Diamond Resorts Hawaii Collection Development, LLC's (collectively, "Diamond") Motion for Protective Order ("Motion") [DE 305] is **GRANTED IN PART AND DENIED IN PART**. For the reasons stated on the record, Diamond's Motion is granted insofar as the Court will quash requests nos. 2-10 of the third-party subpoenas served by Newton Group Transfers, LLC, on American Resort Development Association International Foundation and American Resort Development Association Resort Owners' Coalition. Diamond's Motion is denied as to request no. 1.

2. Diamond's objections to the Newton Defendants' First Requests for Admission on the ground of "vagueness" violate the Court's Standing Discovery Order ("SDO") and are overruled. Diamond must amend its responses to comply with the SDO and Federal Rule of Civil Procedure 34(a)(4) by no later than 5:00 P.M. on October 28, 2019.
3. DC Capital shall provide Diamond with amended responses to Interrogatory No. 12 and Requests for Production Nos. 29 and 30 by 5:00 P.M. on October 28, 2019.
4. DC Capital's objections to Requests for Production Nos. 3 and 16 are sustained insofar as the Court will not require production of the requested documents. The Court will require DC Law to compile a spreadsheet that includes the information responsive to requests Nos. 3 and 16, and to provide that spreadsheet to Diamond by no later than October 28, 2019, at 5:00 P.M.
5. DC Capital's objection to Request for Production No. 6, seeking "[a]ll worksheets, checklists, welcome packets, customer acknowledgements, 'Things to Remember' worksheets," etc. are sustained based on assertion of the attorney-client privilege. DC Capital shall provide Diamond with a categorical privilege log responsive to Request No. 6 on or before 5:00 P.M. on November 15, 2019.
6. DC Capital's objection to Diamond's Request No. 15 is overruled. DC Capital shall provide Diamond with documents responsive to Request No. 15 by 5:00 P.M. on October 28, 2019.
7. DC Capital's objection to Request for Production No. 33 is sustained to the extent that the Court will not require production of IRS forms, including tax return forms, at this time. DC Law shall provide Diamond with its income and profit and loss statements for the past five (5) years by 5:00 P.M. on November 15, 2019.

8. DC Law may submit documents responsive to Request for Production No. 37 to the Court for *in camera* review by October 28, 2019.
9. All other production shall begin by November 15, 2019.
10. All rulings are without prejudice to re-raise at a later stage of the proceedings.
11. Diamond shall file the parties' Joint Scheduling Report by no later than 5:00 P.M. on October 23, 2019.

DONE and ORDERED in Chambers at West Palm Beach in the Southern District of Florida, this 21st day of October, 2019.



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BRUCE REINHART  
U.S. MAGISTRATE JUDGE