

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

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IN RE PEANUT FARMERS
ANTITRUST LITIGATION
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CIVIL ACTION NO. 2:19cv463

ORDER

Before the Court is Plaintiffs' Motion to Compel Deadlines for Defendant Olam's Document Production ("Motion to Compel") and accompanying memorandum filed on July 28, 2020. ECF Nos. 193-94. Concurrently, Plaintiffs filed a Motion to Expedite Briefing, ECF No. 195, which the Court denied upon receipt of Olam's response. ECF No. 209. Olam filed an opposition to the Motion to Compel, ECF No. 214, and Plaintiffs filed both a redacted, ECF No. 219, and unredacted (under seal) reply, ECF No. 220. Accordingly, the Motion to Compel is fully briefed and ready for disposition. For the following reasons, Plaintiffs' Motion to Compel is **DENIED**.

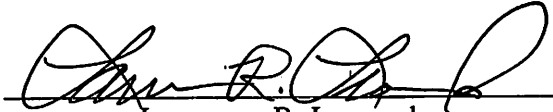
Plaintiffs' Motion to Compel alleges that despite diligent pursuit by Plaintiffs, Olam has delayed in completing its data and document productions. The Motion to Compel requests that the Court order Olam (1) to produce all structured data, custodial data, and responsive documents immediately but no later than August 7, 2020; (2) to respond to any follow-up questions Plaintiffs may raise concerning Olam's structured data within two business days of such questions; and (3) to participate in weekly case management conferences with Plaintiffs and the Court until Olam's document production issues are resolved. ECF No. 194 at 5-6. In response, Olam contends that

it has worked diligently to meet its discovery obligations since becoming a Defendant just over two months ago. ECF No. 214 at 2. Olam also contends that it has agreed to substantially complete its structured data production by August 7, 2020 (and has done so as of the date of this Order), and will substantially complete the remainder of its custodial document production by August 28, 2020. *Id.* at 1. Olam also notes several offers it made to Plaintiff in order to expedite the discovery process, and to prioritize the discovery process. For example, Olam offered to stipulate to deadlines it promised Plaintiffs, indicated it was willing to meet and confer with Plaintiffs on a weekly basis regarding the status of its production, and offered to prioritize custodians and search terms upon Plaintiffs' election. *Id.* at 1-3. Plaintiffs yet still contend they remain prejudiced by Olam's delay. ECF No. 220.

Based on the contentions by both parties, the Court finds that there is no genuine dispute between Plaintiffs and Olam that warrants granting this Motion to Compel. Plaintiffs filed this motion two and a half months before the discovery cut-off, which is not to occur until October 15, 2020. ECF No. 78 at 2. By this Court's review, Olam has worked, and appears to continue to work, diligently to respond to Plaintiffs' discovery requests. Olam has provided Plaintiff with deadlines in which it will substantially complete its production, and has offered to continue to keep Plaintiffs regularly apprised on the status of its production. Court intervention in the parties ongoing discussions would be both unnecessary and a poor use of the Court's resources. Accordingly, Plaintiffs' Motion to Compel, ECF No. 193, is **DENIED**.

The Clerk is **DIRECTED** to forward a copy of this Order to all counsel of record.

It is so **ORDERED**.



Lawrence R. Leonard
United States Magistrate Judge

Norfolk, Virginia
August 28, 2020