

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

JOSE DE LA CRUZ,

Plaintiff,

v.

**VIRGIN ISLANDS WATER AND POWER
AUTHORITY,**

Defendant/Third-Party Plaintiff,

v.

MARCO A. BLACKMAN,

Third-Party Defendant,

1:07-cv-9

**TO: Lee J. Rohn, Esq.
Robert L. King, Esq.
H.A. Curt Otto, Esq.**

ORDER DENYING DEFENDANT'S RENEWED MOTION TO COMPEL

THIS MATTER came before the Court upon Defendant Virgin Islands Water and Power Authority's Renewed Motion to Compel (Docket No. 71). Plaintiff filed an opposition to said motion, and Defendant filed a reply thereto.

Defendant states that it complied with LRCi 37.2 by filing, on April 22, 2009, the Stipulation (Docket No. 67), bearing the electronic signatures of Mary Faith Carpenter, Esq.,

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on behalf of Plaintiff and Robert L. King, Esq., for Defendant Virgin Islands Water and Power Authority. While not in the form generally accepted by the Court, as the motion has been fully briefed, the Court will, in the interest of judicial economy, enter the ruling herein.

Defendant contends that Plaintiff has failed and refused to execute several authorization/release of information forms that were included as part of Defendant's request for production of documents. Plaintiff claims that he executed "over 10 authorizations to the Defendant that allows the Defendant to obtain all the information it needs" Opposition at 5. Plaintiff objects to the authorizations regarding bank records, credit card records, and immigration records on privacy grounds.

Having reviewed the submissions of the parties and upon due consideration thereof, the Court finds that the authorizations at issue are overly broad in scope and the information sought is unreasonably cumulative or duplicative. Plaintiff asserts that he has voluntarily provided income tax returns and other documents to Defendant, which should be sufficient to establish Plaintiff's employment and income history. Moreover, Plaintiff has admitted that he is permanent resident and can provide a copy of his green card.

Accordingly, it is hereby **ORDERED** Defendant's Renewed Motion to Compel (Docket No. 71) is **DENIED**.

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ENTER:

Dated: June 29, 2009

/s/ George W. Cannon, Jr.

GEORGE W. CANNON, JR.

U.S. MAGISTRATE JUDGE