

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

**JOHN ST. ROSE and ROSALINE ST.
ROSE,**

Plaintiffs,

v.

**MOBILE PAINT MANUFACTURING
COMPANY OF DELAWARE d/b/a
THE NEW PAINT LOCKER,
SEALOFLEX CHEMICAL, INC.,
SEALOFLEX SALES, INC., and
SEALOFLEX PROPERTIES, INC., and
MOBILE PAINT CARIBBEAN, INC.,**

Defendants.

2004-CV-0114

**TO: Lee J. Rohn, Esq.
Wilfredo A. Geigel, Esq.
Michael J. Sanford, Esq.**

ORDER GRANTING PLAINTIFFS' MOTIONS TO COMPEL

THIS MATTER came before the Court for consideration upon the parties' Joint Stipulations Regarding Plaintiffs' Motion to Compel Defendant Mobile Paint Delaware For Complete Responses to Discovery (Docket Nos. 123 and 144) and Plaintiffs' Motion to

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Compel Defendant Mobile Paint Caribbean[,] Inc. For Complete Responses to Discovery
(Docket Nos. 122 and 146).¹

Having reviewed the said joint stipulation regarding Plaintiffs' motion to compel
Defendant Mobile Paint Delaware, the Court makes the following findings:

Interrogatory No. 1: Incomplete. Said Defendant shall supplement its response as
to what Mr. Petit did to prepare to answer the interrogatories.

Interrogatory No. 2: Non-responsive. Said Defendant shall respond fully regarding
its purchase and/or acquisition of "Raintight" from any
manufacturer or distributor as set forth in the interrogatory.

Interrogatory No. 3: Incomplete. Said Defendant shall supplement its response
regarding whether a contractual agreement exists between said
Defendant and Mobile Paint Caribbean.

Interrogatory No. 19-23: Said Defendant stated that it would supplement. In the event
said Defendant has failed to supplement as stated, the Court
will order it to supplement insofar as it is able at this juncture.

With regard to Plaintiffs' motion to compel Defendant Mobil Paint Caribbean, Inc.,
the Court makes the following findings:

1. It should be noted that Docket Nos. 123 and 144 are identical, as are Docket No. 122 and 146. Thus only two motions are before the Court, not four motions.

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Interrogatory No. 1: Incomplete. Said Defendant shall supplement its response as to what Mr. Petit did to prepare to answer the interrogatories.

Interrogatory No. 7: Incomplete. Said Defendant shall supplement with the substance of the conversations or specifically identify the "previous response to interrogatories" referenced in it's original response.

Interrogatory No. 21: Nonresponsive. Said Defendant shall supplement with a complete narrative response to the interrogatory as written.

Interrogatory Nos. 24 and 25: Said Defendant stated that it would supplement. In the event said Defendant has failed to supplement as stated, the Court will order it to supplement insofar as it is able at this juncture.

Demands For Production: Plaintiffs allege both in the joint stipulation and in their supplemental memorandum that said Defendant has failed to respond to their Demands For Production.² The Court will order said Defendant to respond. In the event responsive

2. A motion to strike Plaintiffs' supplemental memorandum was filed by Defendant Mobile Paint Manufacturing Company of Delaware (Docket No. 156). As Plaintiffs note in their opposition to said motion, the supplemental memorandum was filed in supplement to their motion to compel Mobile Paint Caribbean, Inc. Consequently, the Court has, by separate order (Docket No. 180), denied such motion to strike.

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documents have already been produced pursuant to document demand upon another co-Defendant, said Defendant may so aver, describing with specificity the documents already produced.

Based upon the foregoing, it is now hereby **ORDERED**:

1. Plaintiffs' Motion to Compel Defendant Mobile Paint Delaware For Complete Responses to Discovery (Docket Nos. 123 and 144) is **GRANTED**.
2. Defendant Mobile Paint Delaware shall supplement, within ten (10) days from the date of entry of this order, its responses to Interrogatory Nos. 1, 2, 3, and 19-23 as more fully described hereinabove.
3. Plaintiffs' Motion to Compel Defendant Mobile Paint Caribbean[,] Inc. For Complete Responses to Discovery (Docket Nos. 122 and 146) is **GRANTED**.
4. Defendant Mobile Paint Caribbean, Inc., shall supplement, within ten (10) days from the date of entry of this order, its responses to Interrogatory Nos. 1, 7, 21, 24, and 25 as more fully described hereinabove.
5. Defendant Mobile Paint Caribbean, Inc., shall, within twenty (20) days from the date of entry of this order, respond to Plaintiffs' Demands For Production of Documents. Said Defendant has waived any objections it may have or may have had to the discovery at issue.

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ENTER:

Dated: December 4, 2007

_____/s/
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE