

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**MALIBU MEDIA, LLC,**

**Plaintiff,**

**v.**

**Case No. 8:13-cv-3007-T-30TBM**

**ROBERTO ROLDAN  
and ANGEL ROLDAN,**

**Defendants.**

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**ORDER**

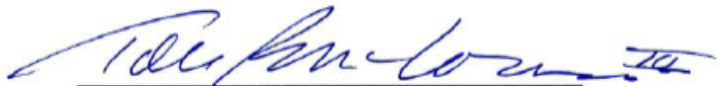
THIS MATTER is before the Court on Defendants' **Amended Joint Motion for Protective Order** (Doc. 50). Plaintiff has not filed a response and the Motion is deemed unopposed. A status conference on discovery was conducted on March 26, 2015.

The Motion, filed by then third parties and Defendant Roberto Roldan, seeks a protective order as to a broadly worded subpoena duces tecum issued by Plaintiff. Upon consideration, the unopposed Motion is **GRANTED**. As set forth in the Motion and discussed at the hearing, neither Federal Rule of Civil Procedure 34 nor governing Eleventh Circuit authority permit unrestricted access to a party's database compilations and/or computer hard drives. That is particularly true, where, as here, Plaintiff sought access to all computer devices in the home of Angel and Gladys Roldan, who at the time were both non-

parties.<sup>1</sup> As for the remaining document requests contained in the subpoena duces tecum, as indicated at the hearing the requests are all overly broad.

As addressed at the hearing, while some additional discovery appears appropriate in relation to Angel Roldan given the current posture of this case, the matter of scheduling must be addressed before such is permitted. As it stands at this time, the discovery deadline was March 2, 2015, and dispositive motions are due April 1, 2015. If Plaintiff wishes to seek discovery, it shall first address the Court's Scheduling Order. Any future document requests or discovery related to the Roldan's computers shall be narrowly tailored and consistent with controlling case law.

**Done and Ordered** in Tampa, Florida, this 26th day of March 2015.



THOMAS B. McCOUN III  
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:  
Counsel of Record

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<sup>1</sup>Since the filing of the Motion, Plaintiff filed an Amended Complaint adding Angel Roldan as a Defendant. *See* (Doc. 61).