

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
FLORIDA

Acquelyn Chow, et al. v. Bryan Wayne Davis, et al.

Chow · No. 3:25cv27/TKW/ZCB · Decided March 25, 2026

SUMMARY

The United States District Court for the Northern District of Florida granted Defendants’ motion to compel Plaintiff Acquelyn Chow to respond to discovery requests. The court granted the motion by default under Northern District of Florida Local Rule 7.1(H) because Plaintiff did not file an opposition or seek an extension, and ordered responses within ten days.

CASE DETAILS

COURT	United States District Court for the Northern District of Florida
WRITING FOR THE COURT	Zachary C. Bolitho
JURISDICTION	United States District Court for the Northern District of Florida
DECIDED	March 25, 2026
DOCKET	3:25cv27/TKW/ZCB
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved to compel Plaintiff Acquelyn Chow to respond to a discovery request. Plaintiff did not file an opposition or seek an extension, and the court granted the motion by default under the local rules.
STANDARD OF REVIEW	The court applied the Northern District of Florida Local Rules governing responses to motions and default grants when no opposition is filed.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- discovery dispute
- default
- civil procedure

PRACTICE AREAS

- civil procedure
- discovery

QUESTIONS PRESENTED

1. Whether the court could grant Defendants' motion to compel by default under Northern District of Florida Local Rule 7.1(H) because Plaintiff failed to file an opposition.

HOLDINGS

1. A court may grant a motion to compel by default under Northern District of Florida Local Rule 7.1(H) when the opposing party fails to file the required memorandum in opposition by the applicable deadline.

KEY QUOTATIONS

“And the Court “may grant a motion by default if an opposing party does not file a memorandum as required by this rule.””

“Because Plaintiff Chow has failed to respond in opposition, and the deadline for doing so has expired, the Court will grant Defendants’ motion by default under Local Rule 7.1(H).”

FACTUAL BACKGROUND

Defendants sought to compel Plaintiff Acquelyn Chow to respond to a discovery request. Plaintiff did not file an opposition by the court-ordered deadline and did not seek an extension of time.

PROCEDURAL HISTORY

Defendants filed a motion to compel on March 6, 2026. The court ordered the parties to confer and required any opposition by March 23, 2026; after Plaintiff failed to respond or request an extension, the court granted the motion by default and ordered discovery responses within ten days.

DISPOSITION

other

CASES CITED

- Fed. Deposit Ins. Corp. v. Amos, No. 3:12cv548, 2017 WL 11682626, at *3 (N.D. Fla. May 16, 2017)
- Kendrick v. Eagle Int’l Group, LLC, No. 08-80909-CIV, 2010 WL 11504742, at *4 (S.D. Fla. Nov. 18, 2010)

OPINION

CHOW

PER CURIAM.

UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF FLORIDA

PENSACOLA DIVISION

ACQUELYN CHOW, et al., Plaintiffs, v. Case No.: 3:25cv27/TKW/ZCB BRYAN WAYNE DAVIS, et al., Defendants. _____/

ORDER

Presently before the Court is Defendants' motion to compel Plaintiff Acquelyn Chow to respond to Defendants' discovery request. (Doc. 32). The motion was filed on March 6, 2026. The Court ordered the parties to confer on the motion by March 16, 2026, with any response in opposition by Plaintiff Chow due by March 23, 2026. (Doc. 33). See N.D. Fla. Loc. R. 7.1(E) (providing a fourteen-day deadline for responding in opposition to motions unless the Court orders otherwise). March 23rd has come and gone with no response in opposition filed by Plaintiff Chow. Nor has Plaintiff Chow moved for an extension of the time to respond. Under the Local Rules, a "party who opposes [a] motion must file a memorandum in opposition." N.D. Fla. Loc. R. 7.1(E). And the Court "may grant a motion by default if an opposing party does not file a memorandum as required by this rule." N.D. Fla. Loc. R. 7.1(H). Because Plaintiff Chow has failed to respond in opposition, and the deadline for doing so has expired, the Court will grant Defendants' motion by default under Local Rule 7.1(H). See *Fed. Deposit Ins. Corp. v. Amos*, No. 3:12cv548, 2017 WL 11682626, at *3 (N.D. Fla. May 16, 2017) (granting discovery motions by default under Local Rule 7.1(H) because the party failed to file a response in opposition); see also *Kendrick v. Eagle Int'l Group, LLC*, No. 08-80909-CIV, 2010 WL 11504742, at *4 (S.D. Fla. Nov. 18, 2010) (granting motion to compel by default because the defendant failed to respond in opposition as required by the local rules). Accordingly, it is ORDERED that Defendants' motion to compel (Doc. 32) is GRANTED. Plaintiff Chow shall provide responses to Defendants' discovery request at issue in the motion within ten days of this order. DONE AND ORDERED this 25th day of March 2026. s/ Zachary C. Bolitho United States Magistrate Judge