

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, TAMPA DIVISION

Final Expense Direct v. Python Leads, LLC, Jacquelyn Leah Levin,
David Levin, and Ali Raza

Final Expense Direct · No. 8:23-cv-2093-WFJ-AAS · Decided December 15, 2025

SUMMARY

The United States District Court for the Middle District of Florida grants Ali Raza’s motion to deem requests for admissions admitted against Python Leads, LLC under Federal Rule of Civil Procedure 36(a)(3). The court holds that Python’s responses were untimely and that the deemed admissions bind Python but may not be used against other parties, including Plaintiff.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Tampa Division
WRITING FOR THE COURT	William F. Jung
JURISDICTION	United States District Court for the Middle District of Florida, Tampa Division
DECIDED	December 15, 2025
DOCKET	8:23-cv-2093-WFJ-AAS
DISPOSITION	other
PROCEDURAL POSTURE	Defendant Ali Raza moved under Federal Rule of Civil Procedure 36(a)(3) to have requests for admission served on Defendant Python Leads, LLC deemed admitted after Python failed to respond within the required thirty-day period.
STANDARD OF REVIEW	The court applied Federal Rule of Civil Procedure 36(a)(3) and Rule 36(b) to determine whether the requests were automatically admitted and whether withdrawal or amendment was appropriate.
PRECEDENTIAL VALUE	unknown

TOPICS

- discovery dispute
- civil procedure
- summary judgment
- commercial litigation

PRACTICE AREAS

civil procedure

commercial litigation

QUESTIONS PRESENTED

1. Whether Python's failure to answer requests for admission within thirty days caused the matters in the requests to be deemed admitted under Federal Rule of Civil Procedure 36(a)(3).
2. Whether Python's untimely responses should be treated as a request to withdraw or amend the deemed admissions under Rule 36(b).
3. Whether Python's deemed admissions could be used against Plaintiff Final Expense Direct rather than only against Python, the admitting party.

HOLDINGS

1. Requests for admission are automatically deemed admitted when not answered within thirty days, and Python's untimely responses did not prevent the requests from being admitted by operation of law.
2. Python's response was not construed as a motion to withdraw or amend its admissions because it did not directly request withdrawal or amendment and offered only minimal substantive argument.
3. Python's deemed admissions may be used by Raza against Python, the admitting party, but may not be imposed upon or used against Final Expense Direct, which did not participate in Python's failure to respond.

KEY QUOTATIONS

"Federal Rule of Civil Procedure 36 expressly provides that requests for admissions are automatically deemed admitted if not answered within 30 days, and that the matters therein are 'conclusively established' unless the court on motion permits withdrawal or amendment of the admissions." (Discussion)

"Such deemed admissions may appropriately bind the defaulting party itself, but cannot justly be imposed upon a party that had no involvement in the failure to respond, and had no means to compel the defaulting party's compliance." (Discussion)

FACTUAL BACKGROUND

Raza served Python with requests for admission on July 23, 2025. Python did not answer within the thirty-day period required by Rule 36(a)(3), and instead submitted responses 113 days after service, after Raza had filed his motion. Final Expense argued that Python's admissions should be withdrawn, but the court determined that the admissions could not be used against Final Expense because Final Expense was not the admitting party.

PROCEDURAL HISTORY

Raza served Python with requests for admission on July 23, 2025. Python did not respond within thirty days; Raza filed the motion ninety-nine days after service, and Python filed responses 113 days after service. The court granted Raza's motion, while concluding that the deemed admissions could be used only against Python and not against Plaintiff Final Expense Direct.

DISPOSITION

other

CASES CITED

- United States v. 2204 Barbara Lane, 960 F.2d 126, 129 (11th Cir. 1992)
- Haas v. Fancher (In re Fancher), 802 F. App'x 538, 542 (11th Cir. 2020)
- Perez v. Miami-Dade Cnty., 297 F.3d 1255, 1264 (11th Cir. 2002)
- Riberglass, Inc. v. Techni-Glass Indus., Inc., 811 F.2d 565, 567 (11th Cir. 1987)
- First Acceptance Ins. Co., Inc. v. Ramirez, No. 3:08-CV-1078-J-34JRK, 2010 WL 779315, at *6 (M.D. Fla. Feb. 26, 2010)

OPINION

UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA TAMPA DIVISION
FINAL EXPENSE DIRECT, Plaintiff, v. Case No. 8:23-cv-2093-WFJ-AAS PYTHON LEADS,
LLC, JACQUELYN LEAH LEVIN, DAVID LEVIN, and ALI RAZA, Defendants.
_____/ ORDER Before the Court is Defendant Ali Raza's
("Raza") Motion to Deem Requests for Admissions Admitted Against Defendant Python Leads,
LLC (the "Motion"), pursuant to Federal Rule of Civil Procedure 36(a)(3).

Dkt. 176. Defendant Python Leads, LLC ("Python") has responded in opposition, Dkt. 193, and Defendant Raza has replied. Dkt. 194. Plaintiff Final Expense Direct ("Final Expense") has also responded, Dkt. 190, and Defendant Raza has replied. Dkt. 192.

After careful consideration, the Court grants Defendant Raza's Motion to Deem Requests for Admissions Admitted. Dkt. 176. BACKGROUND On July 23, 2025, Defendant Raza served Defendant Python with Requests for Admissions (RFAs). Dkt. 176 at 5–8. 99 days after service of the RFAs, on October 30, 2025, Defendant Raza filed the present Motion, requesting that the Court deem all matters within his RFAs admitted.

Dkt. 176. 113 days after service of the RFAs, on November 13, 2025, Defendant Python filed its Response in opposition to the Motion, which included responses to the RFAs. Dkt. 193 at 4–6. DISCUSSION "Federal Rule of Civil Procedure 36 expressly provides that requests for admissions are automatically deemed admitted if not answered within 30 days, and that the matters therein are 'conclusively established' unless the court on motion permits withdrawal or amendment of the admissions." United States v. 2204 Barbara Lane, 960 F.2d 126, 129 (11th Cir.

1992) (citation omitted); see Haas v. Fancher (In re Fancher), 802 F. App'x 538, 542 (11th Cir. 2020) (referencing the automatic effect of Rule 36(a)(3) to convert "requests into admissions"). The untimely nature of Defendant Python's responses is not in contention. See Dkt. 193 1–2.

Thus, the RFAs are deemed admitted by operation of law. Upon motion, the Court may permit the withdrawal or amendment of an admission. See Fed. R. Civ. P. 36(b) (stating that the withdrawal or amendment of an admission may be permitted if “[1] the presentation of the merits of the action will be subserved thereby and [2] the party who obtained the admission fails to satisfy the court that withdrawal or amendment will prejudice that party in maintaining the action or defense on the merits”); see also *Perez v. Miami-Dade Cnty.*

297 F.3d 1255, 1264 (11th Cir. 2002) (establishing a two-part test based on Rule 36(b) that must be applied in deciding motions to withdraw admissions). The Court declines to construe Defendant Python’s Response as a Rule 36(b) motion to withdraw or amend its admissions, as it does not appear to directly request a withdrawal or amendment; instead, Defendant Python provides minimal substantive argument as to why the Court should merely accept its untimely responses in lieu of its admissions.

See Dkt. 193 at 1–2 (showing two sentences of argument). Plaintiff seeks to avoid these admissions by Python. Plaintiff provides a robust analysis as to why Defendant Python’s admissions should be withdrawn, but the Court finds this argument to be inapt as Defendant Python’s admissions may only be utilized by Defendant Raza against Defendant Python—the admitting party—and not against Plaintiff.

See *Riberglass, Inc. v. Techni-Glass Indus., Inc.*, 811 F.2d 565, 567 (11th Cir. 1987); *First Acceptance Ins. Co., Inc. v. Ramirez*, No. 3:08-CV-1078- J-34JRK, 2010 WL 779315, at *6 (M.D. Fla. Feb. 26, 2010) (“The rights or liabilities of one party should not be beholden to the failure of another party, particularly an opposing party, to respond to requests for admissions.

Such deemed admissions may appropriately bind the defaulting party itself, but cannot justly be imposed upon a party that had no involvement in the failure to respond, and had no means to compel the defaulting party’s compliance. Finding otherwise would essentially allow the sins of one party to be visited upon another.”). Defendant Raza is thus preempted from utilizing these admissions in his opposition to Plaintiff’s pending Partial Motion for Summary Judgment.

See Dkt. 165. However, the Court finds this to be a non-issue, considering that Plaintiff does not seek summary judgment as to the sole claim against Defendant Raza. See Dkt. 203 at 1–2 (Plaintiff’s Reply to Defendant Raza’s Response to the partial Motion for Summary Judgment, stating that Plaintiff “has not sought summary judgment against Defendant Ali Raza”).

Therefore, Defendant Raza’s Motion to Deem Requests for Admissions Admitted Against Defendant Python Leads, LLC, Dkt. 176, is GRANTED. DONE AND ORDERED at Tampa, Florida, on December 15, 2025. /s/ William F. Jung WILLIAM F. JUNG UNITED STATES DISTRICT JUDGE COPIES FURNISHED TO: Counsel of Record

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