

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

Jordyn Thulin v. Embry-Riddle Aeronautical University, Inc.

Thulin · No. 6:24-cv-899-PGB-LHP · Decided December 15, 2025

SUMMARY

The United States District Court for the Middle District of Florida partially granted Embry-Riddle Aeronautical University, Inc.’s motion to compel and for an enlargement of time. The Court authorized a limited one-hour re-deposition of Plaintiff concerning previously undisclosed text messages and required information regarding any attorney-client relationship between Plaintiff’s counsel and Plaintiff’s mother, while denying other requested relief.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Orlando Division
WRITING FOR THE COURT	Leslie Noffman Price
JURISDICTION	United States District Court for the Middle District of Florida, Orlando Division
DECIDED	December 15, 2025
DOCKET	6:24-cv-899-PGB-LHP
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved to compel limited additional discovery and to extend the discovery period after Plaintiff disclosed previously unproduced text messages during or after her deposition and after Plaintiff's counsel instructed a deponent not to answer certain questions based on attorney-client privilege. The court granted the motion in part and denied it in all other respects.
STANDARD OF REVIEW	The court evaluated the motion under the Federal Rules of Civil Procedure and the applicable discovery orders, determining whether the requested limited discovery and extension were appropriate under the circumstances.
PRECEDENTIAL VALUE	Unpublished federal district court discovery order; persuasive and case-specific rather than generally precedential.

TOPICS

discovery dispute

attorney client privilege

privilege

civil procedure

evidence

PRACTICE AREAS

Civil procedure

Discovery

Evidence

Attorney-client privilege

QUESTIONS PRESENTED

1. Whether Defendant was entitled to a limited re-deposition of Plaintiff concerning text messages that Plaintiff had not timely produced.
2. Whether Defendant was entitled to discovery concerning the existence and commencement date of an asserted attorney-client relationship between Plaintiff's counsel and Trisha Thulin.
3. Whether the discovery deadline should be extended for the limited purposes authorized by the court.

HOLDINGS

1. Because Plaintiff did not dispute that she failed to timely produce communications responsive to a proper discovery request, Defendant may re-depose her for no more than one hour and only concerning the text messages produced on November 24, 2025.
2. Defendant may obtain a sworn affidavit or declaration stating whether an attorney-client relationship existed between Plaintiff's counsel and Trisha Thulin and, if so, when it began; Defendant may then seek a second deposition of Trisha if appropriate.
3. If a fee or retainer agreement is produced in response to the court's order, information containing attorneys' mental impressions, conclusions, opinions, or legal theories may be redacted.

KEY QUOTATIONS

“Courts in this Circuit have concluded fee agreements or retainer agreements generally are not privileged.”
(Order ¶ 4)

“such that it contains mental impressions, conclusions, opinions, or legal theories of Plaintiff’s attorneys, such opinions may be redacted.” (Order ¶ 4 n.4)

FACTUAL BACKGROUND

Plaintiff did not produce all text messages between herself and Jacob Scanlon despite a discovery request for communications between them, and she produced the additional messages on November 24, 2025, after her October 30 deposition. At the November 18 deposition of Plaintiff's mother, Trisha Thulin, Plaintiff's counsel made attorney-client privilege objections and instructed her not to answer without identifying when counsel's alleged individual representation of Trisha began.

PROCEDURAL HISTORY

Discovery closed on December 1, 2025, subject to limited expert-deposition exceptions. Defendant filed its motion on the discovery deadline, seeking a limited re-deposition of Plaintiff concerning text messages produced

after her deposition, discovery concerning the asserted attorney-client relationship between Plaintiff's counsel and Plaintiff's mother, and a 60-day discovery extension. The court authorized a one-hour re-deposition of Plaintiff, required an affidavit or declaration concerning the alleged attorney-client relationship, allowed a renewed motion for a second deposition of Plaintiff's mother if appropriate, and otherwise denied the motion.

DISPOSITION

other

CASES CITED

- Daniel v. Navient Sols., LLC, No. 8:17-cv-2503-T-24JSS, 2019 WL 12528989, at *3 (M.D. Fla. Jan. 10, 2019)
- Regions Bank v. Kaplan, No. 8:12-cv-1837-T-17MAP, 2015 WL 5687882, at *1 (M.D. Fla. Sept. 25, 2015)
- Soricelli v. GEICO Indem. Co., No. 8:16-cv-1535-T-30TBM, 2017 WL 275967, at *4 (M.D. Fla. Jan. 20, 2017)