

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

STEVEN BIVENS, *on behalf of
himself and all persons similarly
situated,*

Plaintiff,

v.

SELECT PORTFOLIO SERVICING,
INC.,

Defendant.

CIVIL ACTION FILE NO.

1:15-cv-4325-ELR-JKL

ORDER

This matter is presently before the Court on Plaintiff's request that the Court order Defendant to produce documents and respond to interrogatories. On December 8, 2016, the Court held a teleconference hearing on Plaintiff's request. For the reasons stated on the record during the hearing, the Court orders as follows:

Regarding Plaintiff's Request for Production Number 2, Defendant shall produce nonprivileged internal communications, dated between March 25, 2015 and April 20, 2016, that relate to Defendant's response to the purported qualified

written request (“QWR”) at issue in Plaintiff’s complaint. Defendant shall prepare a privilege log for any privileged internal communications concerning its response to the purported QWR from that same date range.

Regarding Plaintiff’s Request for Production Number 4, Defendant shall produce correspondence, from the date range of March 25, 2015 to April 20, 2016, to and from Plaintiff’s prior loan servicers concerning the purported QWR at issue in Plaintiff’s complaint.

Regarding Plaintiff’s Request for Production Number 5, Defendant shall produce, pursuant to a confidentiality protective order, documents sufficient to evidence Defendant’s policies and procedures with respect to (1) the two alleged deficiencies in the purported QWR at issue in this case, namely, providing inadequate account history from prior servicers and the format or use of codes in providing the account history, and (2) escalating a purported QWR to Defendant’s legal department or outside counsel. The Parties shall prepare a confidentiality protective order for the Court’s approval.

Regarding the timing of discovery, Defendant shall complete its production on or before Friday, December 16, 2016.

Plaintiff's remaining requests to compel Defendant to produce documents and respond to interrogatories are **DENIED**.

IT IS SO ORDERED this 8th day of December, 2016.



JOHN K. LARKINS III
United States Magistrate Judge