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COBB COUNTY, GA
FILED IN OFFICE

IN THE STATE COURT OF COBB COUNTY
STATE OF GEORGIA

15 FEB 13 AM 7:58

CANDI L. MINCEY,)
)
Plaintiff,)
)
v.)
)
BI-LO, LLC d/b/a BI LO GROCERY STORE,)
)
Defendant.)

ANGIE T. DAVIS
STATE COURT CLERK-02

CIVIL ACTION FILE NO.:
14 A 2416-7

**ORDER GRANTING DEFENDANT'S MOTION FOR PROTECTIVE ORDER,
DENYING PLAINTIFF'S MOTION TO COMPEL,
AND EXTENDING THE DISCOVERY PERIOD 90 DAYS**

This action arises from an incident that occurred at a Bi-Lo grocery store in Statesboro, Georgia on September 11, 2012. Plaintiff alleges in her complaint that she was injured when she was struck by boxes containing jars of pasta sauce that fell from a pallet.

Defendant had a CCTV surveillance system in its store. Defendant retained CCTV video of the incident. Plaintiff sought a copy of the video through a written request for production of documents. In response to Plaintiff's request, Defendant agreed to produce the video, but not until after the completion of Plaintiff's deposition.

Plaintiff filed a Motion to Compel Defendant to provide a copy of the video prior to her deposition. Defendant responded to the Motion to Compel, and filed a separate Motion for Protective Order to preclude production of the video until after Plaintiff's deposition is completed. It is Defendant's position that it has the right to hear Plaintiff's independent recollection of the incident in order to preserve the impeachment value of the video.

Upon review of the briefs filed by the parties, hearing oral arguments on both motions, and good cause having been shown, Defendant's Motion for Protective Order is hereby GRANTED. Defendant does not have to provide a copy of the CCTV video of the incident until

after Plaintiff's deposition is completed. The Court finds that Defendant should have the opportunity to depose Plaintiff based on her own independent recollection. If Plaintiff has ~~limited recollection and is uncertain as to details of the incident, she may testify to that.~~ ^{CUB} For these same reasons Plaintiff's Motion to Compel is hereby DENIED.

At the hearing on these motions a request was made to extend the discovery period 90 days. The basis for the request was that the parties have not moved forward with depositions pending the outcome of the two motions ruled upon in this Order. The Court finds good cause for extending the discovery period, and the request for an extension is hereby GRANTED. The discovery period is extended to and through June 24, 2015.

SO ORDERED, this 13th day of February, 2015.



JUDGE CARL BOWERS
State Court of Cobb County

Prepared by and distributed to:

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CERTIFICATE OF SERVICE

I hereby certify that I have this date mailed a copy of the within and foregoing **Order** to the following via regular U.S. Mail:

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This 13th day of February, 2015.



Becky Morris, Judicial Assistant
Judge Carl W. Bowers
Cobb State Court
(770) 528-8001