Docket #0508 Date Filed: 4/2/2024

CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Michelle V. Larson

Signed April 2, 2024

United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In Re: NORTHWEST SENIOR HOUSING CORPORATION, *et al.*[1] Debtors.	Chapter 11 Case No. 22-30659 (MVL)
Leif M. Clark, Trustee of the Edgemere Litigation Trust Plaintiff, v. Intercity Investment Properties, Inc. and Kong Capital, LLC, Defendants.	Adv. No. 22-03040 (MVL)

ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS' MOTION TO COMPEL PLAINTIFF TO RESPOND TO SECOND SET OF DISCOVERY REQUESTS

[1] The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are Northwest Senior Housing Corporation (1278) and Senior Quality Lifestyles Corporation (2669). The Debtors' mailing address is 8523 Thackery Street, Dallas, Texas 75225.

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This matter came before the Court on Defendants' Motion to Compel Plaintiff to Respond to Second Set of Discovery Requests (the "Motion") [Dkt. No. 477]. The Court, having reviewed the pleadings on file and having considered the Motion, the related response, the related reply, and having received oral argument, is of the opinion that the Motion should be granted in part and denied in part for the reasons more fully set forth on the hearing record. Accordingly,

IT IS HEREBY ORDERED THAT that the Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. Insofar as the Motion sought to compel the Plaintiff to respond to Defendants' Second Interrogatories, the Motion is DENIED for the reasons set forth on the record.

2. Following the Court's announcement of its decision regarding the Second Interrogatories, Defendants made an oral motion (the "Oral Motion") for leave to exceed the limit imposed by Rule 33(a) and to serve the Second Interrogatories and for same to be deemed served *instanter*. Plaintiff opposed the Motion for the reasons stated on the record, and the Court, after considering the arguments of counsel, DENIES the Oral Motion.

3. Insofar as the Motion sought to compel the Plaintiff to further respond to Defendants' Requests for Admission, and as further set forth on the record:

   a. The Motion is DENIED AS MOOT as to Requests 19, 21, 22, 23, 26, 33, 36, 45, and 58 following the Defendants' withdrawal of the Motion as to those Requests;

   b. The Motion is DENIED as to Requests 4, 5, 6, 7, 8, 9, 10, 12, 14, 16, 17, 18, 20, 29, 31, 42, 46, 47, 48, 49, 50, 52, 53, and 59; and

   c. The Motion is GRANTED as to Requests 3, 13, 24, 25, 28, 37, 38, 40, 41, 54, 55, 56, and 60, and as more fully set forth on the record, the Court orders that

Plaintiff shall, on or by March 29, 2024, amend his responses and objections to the said Requests to comply with Fed. R. Civ. P. 36(a)(4)(d).

END OF ORDER # #

SUBMITTED BY:

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