

06-2014

IN THE FRANKLIN COUNTY MUNICIPAL COURT

VERONICA WAGNER COVATCH,
et al.,

Plaintiffs,

v.

PENNY G. SANDERBECK, et al.,

Defendants.

Case No. 2014CVF024571

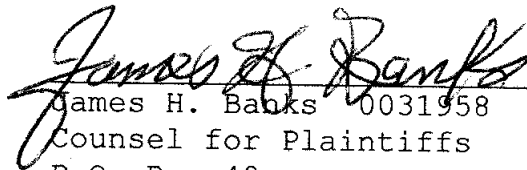
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FRANKLIN COUNTY
MUNICIPAL COURT

MOTION TO STAY DEFENDANTS'
DISCOVERY AND/OR FOR PROTECTIVE
ORDER

w/Tend Entry

Now come plaintiffs, by and through counsel, and move this Court to stay defendants Penny G. Sanderbeck's and Central Ohio Sheltie Rescue, Inc.'s discovery and/or for a protective order relieving plaintiffs of the obligation to respond to same until a reasonable period after said defendants respond to plaintiffs' discovery requests for good cause, as set forth in the accompanying Memorandum in Support attached hereto and incorporated herein as if fully rewritten.

Respectfully submitted,



James H. Banks 0031958
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MEMORANDUM IN SUPPORT

This case has been pending since on or about July 28, 2014. Plaintiffs, with leave of Court, recently amended their Complaint, adding party-defendants. On or about October 14, 2014 defendants

Sanderbeck and COSR served their interrogatories and document requests upon plaintiffs, to which plaintiffs responded.

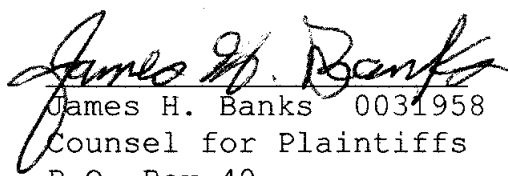
Thereafter, on or about February 9, 2015 plaintiffs served their discovery requests upon said defendants. Rather than respond to same, defendants filed for a protective order, refusing to provide discovery to plaintiffs without a "gag" type order. Defendants' motion for protective order remains pending at this time.

Despite said defendants' refusal to provide discovery to plaintiffs, defendant COSR has now served requests for admission upon plaintiff Covatch, a copy of which is attached hereto and incorporated herein.

It is inherently unfair for defendants to be permitted to prepare for trial by proceeding with their own discovery while at the same time precluding the plaintiffs from trial preparation by declining to provide discovery to the plaintiffs.

Accordingly, in the interest of justice, this Court should issue an order staying defendants' discovery in this case and/or relieving plaintiffs of the obligation of responding to defendant COSR's requests for admission or other discovery until such time after discovery is provided to plaintiffs by defendants COSR and Sanderbeck.

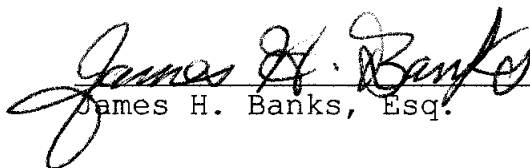
Respectfully submitted,



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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was duly served upon John A. Bell, Esq., P.O. Box 091022, Bexley, Ohio 43209 and Scott O. Sheets, Assistant Prosecuting Attorney, 373 South High Street, 13th Floor, Columbus, Ohio 43215, via ordinary U.S. Mail, postage prepaid, this 14th day of April, 2015


James H. Banks, Esq.