

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

BARBARA ANN WILSON,)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	
)	CV-10-KOB-2386
CITY OF BIRMINGHAM, et al.,)	
Defendants.)	

DEFENDANTS’ OBJECTION TO NOTICES OF DEPOSITIONS

The Defendants, the City of Birmingham (“City”), a municipal corporation under the laws of the State of Alabama, and the Birmingham Library Board (“Board”), by and through their attorney of record, objects to the Deposition Notices served on each of the Defendants’ representatives as follows:

The various Notices of Depositions includes the following language:

“6. Any and all information indicating the Plaintiff participated in or was not offended by sexual conduct or the viewing of sexual materials in the workplace.

7. Each step taken and/or act performed in the investigation of any complaint of sexual harassment received by this Defendant from the Plaintiff.

8. Each step taken and/or act performed in the investigation of any complaint of sexual misconduct by patrons or co-workers received by this Defendant from any employee of the Birmingham Public Library

Downtown Branch from 2006 through the present.

9. Any and all internal complaints, reports, EEOC Charges or lawsuits involving allegations of sexual misconduct by patrons or co-workers made by any from any employee of the Birmingham Public Library Downtown Branch from 2006 through the present.

17. All incident reports and/or special security reports or other security reports generated in connection with any report of sexual misconduct at the Birmingham Library Downtown Branch from 2006 through the present.

25. Any and all complaints by patrons regarding sexual misconduct in the downtown branch from 2006 to the present.

26. Any and all police reports involving allegations of sexual misconduct in the downtown branch from 2006 to the present.

27. The identity of any employee who has reported sexual misconduct in the downtown branch from 2006 to the present.”

The Defendants object to these requests as overboard, vague and not limited in time and scope. The documents sought is immaterial and irrelevant to the issues raised in this lawsuit and is not calculated to lead to the discovery of admissible evidence. The Defendants asserts that such alleged incidents are time barred. The Defendants asserts the statute of limitations as to claims arising under 42 U.S.C 2000 which occurred prior to 180 days prior to filing the her EEOC charge. Further, the Defendants object because it calls for information protected by the work-product doctrine.

Respectfully submitted,

/s/Fredric L. Fullerton, II

Fredric L. Fullerton, II
Assistant City Attorney

City of Birmingham Law Department
600 City Hall
710 North 20th Street
Birmingham, Alabama 35203

(205) 254-2369/(205) 254-2502 FAX

CERTIFICATE OF SERVICE

I hereby certify that on June 20, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Adam P. Morel, Esq.
517 Beacon Parkway West
Birmingham, AL. 35209

/s/Fredric L. Fullerton, II
Of Counsel