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 10 Regan Media, Inc. and Judith Regan

11 UNITED STATES DISTRICT COURT
 12 DISTRICT OF ARIZONA

13 JENNA MASSOLI p/k/a JENNA)
 14 JAMESON,)
 15)
 16) Plaintiff,)
 17)
 18) vs.)
 19) "REGAN MEDIA," and JUDITH)
 20) REGAN, an individual,)
 21)
 22) Defendants.)

No. CV 05-0854 PHX EHC

**REGAN MEDIA'S RESPONSE IN
 OPPOSITION TO PLAINTIFF/
 COUNTERDEFENDANTS'
 MOTION FOR EXTENSION OF
 TIME**

23 REGAN MEDIA, INC., a New York)
 24 corporation, and JUDITH REGAN, an)
 25 individual,)
 26) Defendants/Counterclaimants,)
 27)
 28) vs.)
 29) JENNA MASSOLI p/k/a JENNA)
 30) JAMESON, an individual,)
 31)
 32) Plaintiff/Counterdefendant,)
 33)
 34) and)
 35) JAY GRDINA, an individual, and)
 36) DOLCE AMORE, INC., a Colorado)
 37) corporation,)
 38)
 39) Counterdefendants.)

(Assigned to the Honorable Earl H. Carroll)

1 Plaintiff/Counterdefendants' request for additional time to respond to Regan
2 Media's Second Motion to Compel and Request for Sanctions should be denied.
3 Defendant/Counterclaimant Regan Media, Inc. ("Regan Media") served its First Request
4 for Production of Documents on Counterdefendants Jenna Massoli p/k/a Jenna Jameson,
5 Jay Grdina and Dolce Amore, Inc. (collectively, "Counterdefendants") on November 4,
6 2005, over four months ago. Counterdefendants ignored Regan Media's document
7 requests until Regan Media filed its first Motion to Compel on January 5, 2006. In
8 response to that motion, Counterdefendants claimed that they had been too busy to
9 respond and promised to produce the requested documents by February 7, 2006. On
10 February 9, after several calls from Regan Media's counsel, Counterdefendants produced
11 only a handful of documents, ignored numerous requests and asserted improper objections
12 to other relevant document requests. This deficient production prompted Regan Media's
13 Second Motion to Compel and Request for Sanctions filed on February 17, 2006. As part
14 of Regan Media's Second Motion to Compel, Regan Media was obliged to request the
15 amendment of the Court's Rule 16 Scheduling Order to accommodate Counterdefendants'
16 delinquent document production.
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21 Now it appears that Counterdefendants have been ignoring not just Regan
22 Media, but their own counsel as well. Both sets of lawyers who have entered appearances
23 on behalf of Counterdefendants in this matter have moved to withdraw, apparently
24 because Counterdefendants refuse to cooperate with their own counsel in the very
25 litigation they initiated. [See March 7, 2006 Attorney's Certificate of Compliance with
26

1 LRCiv 83.3(b)(2)(A) filed by Renaud Cook Drury Mesaros, PA at 2-3; March 7, 2006
2 Attorney's Certificate of Compliance with LRCiv 83.3(b)(2)(A) filed by Lipsitz, Green,
3 Fahringer, Roll, Salisbury & Cambria, LLP at 2.]

4 Now, after ignoring Regan Media's document requests and their own
5 lawyers' inquiries for months, Counterdefendants request additional time to respond to
6 Regan Media's Second Motion to Compel. Their Motion -- filed on the very last day
7 possible -- should be denied. Counterdefendants' refusal to fulfill their obligations in this
8 litigation has now prompted two motions to compel, necessitated the postponement of
9 depositions, and thrown off the Court's Scheduling Order. The fact that their attorneys
10 have moved to withdraw verifies what Regan Media could only conjecture in the Second
11 Motion to Compel -- that Counterdefendants made no effort to produce the materials
12 identified in Regan Media's First Request for Production. Regan Media's Second Motion
13 to Compel and Request for Sanctions should be granted in its entirety, and
14 Counterdefendants should be ordered to appear and show cause why they should not be
15 sanctioned for their misconduct.
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Respectfully submitted this 16th day of March, 2006.

STEPTOE & JOHNSON LLP

By: /s/ David J. Bodney

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CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of March, 2006, I caused the attached document to be electronically transmitted to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electric Filing to the following CM/ECF Registrants:

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I hereby certify that on the 16th day of March, 2006, I served the attached document by mail on the following, who are not registered participants of the CM/ECF System:

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