

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ROBERT STEINBUCH,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:05-CV-970 (PLF) (JMF)
)	Judge Paul L. Friedman
JESSICA CUTLER,)	Magistrate Judge John M. Facciola
)	
Defendant)	
_____)	

**DEFENDANT’S MOTION FOR LEAVE
TO FILE FORTY NINE PAGE
MOTION TO DEEM RULE 36 REQUESTS ADMITTED,
MOTION TO COMPEL DISCOVERY,
AND ALTERNATIVE MOTION TO PRECLUDE EVIDENCE
AND INCORPORATED MEMORANDUM OF LAW**

Due to the overwhelmingly obstructive responses to discovery provided by Plaintiff, Defendant has been forced to file a Motion to Deem Rule 36 Requests Admitted, Motion to Compel Discovery, and Alternative Motion to Preclude Evidence and Incorporated Memorandum of Law. Because of the interrelated nature of these Motions, they were filed as one document.

Under the Local Rules of the District Court for the District of Columbia , Rules 26.2(d) and 30.4, a party who is filing a motion to compel discovery “shall identify and quote each interrogatory or request in full immediately preceding the answer, response or objection thereto.” This requirement necessarily contributes substantially to the length of the Motion in question. In this case, the Defendant’s Motion, as drafted, is 49 pages in length, 4 pages in excess of the requirements of Local Rule 7.1(e). Defendant’s Motion is attached hereto as Exhibit A. The Exhibits to Defendant’s Motion are attached as Exhibits A-1 through A-8. A Proposed Order is filed herewith.

Respectfully submitted this 11th day of October, 2006.

/s/ Matthew C. Billips

Matthew C. Billips

Georgia Bar No. 057110

MILLER & BILLIPS, LLC

730 Peachtree Street, Suite 750

Atlanta, GA 30308

ph: (404) 969-4101

fax: (404) 969-4141

mbillips@mbalawfirm.com

**COUNSEL FOR DEFENDANT
JESSICA CUTLER**

/s/ John R. Ates

John R. Ates, Esq.,

ALBO & OBLON, LLP

2200 Clarendon Blvd. Suite 1201

Arlington, VA 22201

jra@albo-oblon.com

LOCAL COUNSEL

CERTIFICATION

Pursuant to LCvR 7(m), counsel for Defendant conferred with counsel for Plaintiff regarding this motion, by email, and has been informed that counsel for Plaintiff will not consent.

Respectfully submitted this 11th day of October, 2006.

/s/ Matthew C. Billips
Matthew C. Billips
Georgia Bar No. 057110
MILLER & BILLIPS, LLC
730 Peachtree Street, Suite 750
Atlanta, GA 30308
ph: (404) 969-4101
fax: (404) 969-4141
mbillips@mbalawfirm.com

**COUNSEL FOR DEFENDANT
JESSICA CUTLER**

/s/ John R. Ates
John R. Ates, Esq.,

ALBO & OBLON, LLP
2200 Clarendon Blvd. Suite 1201
Arlington, VA 22201
jra@albo-oblon.com

LOCAL COUNSEL

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Defendant)	
_____)	

PROPOSED ORDER

Upon consideration of the Defendant’s Motion for Leave to File Forty Nine Page Motion to Deem Rule 36 Requests Admitted, Motion to Compel Discovery, and Alternative Motion to Preclude Evidence and Incorporated Memorandum of Law, the Court Grants such Motion for the reasons stated in the Motion. Accordingly, Defendant is permitted to exceed the page limitations set forth in Local Rule 7(e) by four pages and is given permission to file the above referenced Motion.

SO ORDERED

John M. Facciola
United States Magistrate Judge

DATE: _____, 2006

Copies to:

Jonathan Rosen, Esquire
1200 Gulf Blvd., #1506
Clearwater, Florida 33767
Counsel for Plaintiff

John R. Ates, Esq., DC Bar No. 441084
ALBO & OBLON,, LLP
2200 Clarendon Blvd., Suite 1201
Arlington, VA 22201

Matthew C. Billips, Esq.
Georgia Bar No. 057110
Admitted pro hac vice
MILLER & BILLIPS, LLC
730 Peachtree Street, Suite 750
Atlanta, GA 30308

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CERTIFICATE OF SERVICE

This is to certify that I have on this day served a copy of “**Motion for Leave to File Forty Nine Page Motion to Deem Rule 36 Requests Admitted, Motion to Compel Discovery, and Alternative Motion to Preclude Evidence and Memorandum of Law In Support**” on defense counsel identified below by electronically filing a copy of same with the Clerk of Court by using the CM/ECF System which will automatically send e-mail notification of such filing to the following attorneys of record:

Jonathan Rosen, Esq.
1645 Lamington Road
Bedminster, New Jersey 07921

Jonathan Rosen, Esq.
1200 Gulf Blvd., 1506
Clearwater, Florida 33767

This 10th day of September, 2006.

S/ Matthew C. Billips
Matthew C. Billips
Georgia Bar No. 057110

MILLER & BILLIPS, P.C.
730 Peachtree Street, Suite 750
Atlanta, Georgia 30308
(404) 969-4101
(404) 969-4141 (fax)
mbillips@mbalawfirm.com