

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Steinbuch		:	1:05-CV-970 (PLF) (JMF)
	Plaintiff,	:	Judge Paul L. Friedman
		:	(Oral Argument Requested)
-v-		:	
		:	
		:	
Cutler and Cox		:	
	Defendants.	:	

PLAINTIFF'S RESPONSE TO COURT'S ORDER TO SHOW CAUSE

On January 8, 2007, this Court issued an Order stating "Plaintiff filed a Reply brief [#72] to his Motion to Compel that violates the orders of this Court by placing on the public record direct quotes of plaintiff's discovery requests with summations of defendants' responses. The Court therefore orders the Reply brief stricken from the record and that Plaintiff's counsel, Jonathan Rosen, show cause before the District Judge in writing within ten days of the date of this order as to why he should not be held in contempt." Counsel for Plaintiff requests a hearing on this Order to Show Cause.

Counsel for Plaintiff did not violate this Court's Order by "placing on the public record direct quotes of plaintiff's discovery requests with summations of defendants' responses." Plaintiff's Counsel merely quoted and summarized material taken from the previously filed and publicly-available Amended Complaint and Defendant's Answer. Both of these documents, the Amended Complaint and Defendant's Answer, have been previously filed with the Court and are currently publicly available on the ECF system. These documents are part of the public record and are explicitly not part of what this Court ordered not to be quoted – namely material obtained in discovery, including discovery requests and responses. Again, the material quoted and summarized is material

from the publicly available Amended Complaint and Answer, not material specified in the Court's Order, namely discovery requests and responses.

Accordingly, Plaintiff's Counsel requests: (1) a hearing on this Order to Show Cause; (2) that this Court find that Plaintiff's Counsel has not violated this Court's Order regarding quoting material obtained in discovery; and (3) that this Court place back on the docket document #72.

Dated: January 8, 2007

/s/ Jonathan Rosen
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