

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JONATHAN COBB,	:	
	:	
Plaintiff,	:	
	:	
vs.	:	CIVIL ACTION FILE
	:	NUMBER 1:08-CV-0483-MHS
GOOGLE, INC.; and	:	
WORKFORCELOGIC USA;	:	
	:	
Defendants.	:	

**PLAINTIFF’S MOTION TO COMPEL
DISCOVERY FROM DEFENDANT GOOGLE, INC.**

COMES NOW Jonathan Cobb, Plaintiff in the above-captioned action, and, pursuant to Rules 26, 34 and 37 of the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the Northern District of Georgia, respectfully moves the Court for entry of an order compelling Defendant Google Inc. (“Google”):

- (1) to provide full and complete Initial Disclosures as required by this Court’s Local Rules;
- (2) to provide answers to Plaintiff’s First Interrogatories; and

(3) to produce documents in response to Plaintiff's First Request for the production of documents and things.

In their Joint Preliminary Statement And Scheduling Order, the parties agreed that their Initial Disclosure information could be supplied at the time and within the context of the parties' responses to their separately served discovery requests. This agreement was intended to make the parties' gathering and reporting of case-related information more efficient. Plaintiff provided his Initial Disclosures in full. Defendant Google did not. Google construed the parties' agreement as granting it the power unilaterally to decide which Initial Disclosure information it would supply, consistent, it explained, with its right to object to Plaintiff's separately served discovery requests. This is both contrary to the parties' agreement and to the Local Rules of this Court.

Plaintiff shows that his discovery requests are reasonably calculated to lead to the discovery of admissible evidence. The information and documents requested are pointedly relevant to issues in the case. Without proper responses provided by Google, Plaintiff is unable to prepare his case for trial or investigate fully Google's affirmative defenses of independent creation.

For all the reasons noted, Plaintiff respectfully requests that his Motion To Compel be granted and that Google be ordered to participate fully in the discovery processes of this Court.

Respectfully submitted,

/s/ Michael Alan Dailey

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CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the within and foregoing *Plaintiff's Motion To Compel Discovery From Defendant Google, Inc.* upon counsel for Defendants by depositing same in the United States mail, with sufficient postage thereon to insure delivery and addressed to:

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This 18th day of September, 2008.

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