

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

Civil Docket No.: **06 CA 11370 MLW**

Christine. Varad,
Plaintiff,
v.

Reed Elsevier Incorporated,
d.b.a. *LexisNexis, LexisNexis Risk &
Information Analytics Group, Inc.*,
Defendant.

EXHIBIT A

**UNITED STATES DISTRICT COURT
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Reed Elsevier Incorporated,
d.b.a. *LexisNexis, LexisNexis Risk &
Information Analytics Group, Inc.*,
Defendant.

PLAINTIFF'S RESPONSE TO
"DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION TO COMPEL
PRODUCTION OF DOCUMENTS"

Plaintiff, Christine Varad, responds to "Defendant's Opposition to Plaintiff's Motion to Compel Production of Documents" for the following reasons:

1. The multiple sweeping, general and specific evidentiary objections asserted by Reed in "*Defendant's Response to Plaintiff's First Request for Production of Documents*," to preclude almost all discovery are not legitimate grounds for Reed to withhold discovery. All of the requested discovery should have been produced pursuant to Fed.R.Civ.P. 26(b)(1) "*Parties may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action.*" Reed has improperly withheld discovery based on several sweeping general objections to discovery production.
2. Subject to many general and specific objections, Reed produced two sets of discovery as documents. The first production occurred on April 25, 2007. It seventy-two pages of bates numbered documents, D00033 – D00106, that Reed intended as a general response any and all document requests to which Reed had not previously objected. It is

impossible to determine which documents are intended to respond or address which discovery request. Thus the discovery responses provided by Reed are incomplete, misleading and/or undecipherable. For example, Reed provided document “D00106” in response to discovery Request No. 8. That document clearly states that “Accurint”, using Seisint, Inc.’s trade name, is the “Parent Company” of Gall and Gall Company, Inc. and yet Reed, dba LexisNexis, LexisNexis Risk and Information Analytics Group, Inc. fails to include material, relevant discovery concerning group member, Seisint, Inc.

subsidiary, Gall and Gall Company, Inc. despite being asked for it. See: Exhibit B.

Where Gall and Gall Company, Inc. is a subsidiary of the LexisNexis group of entities, Reed’s discovery responses are unilaterally and intentionally misleading and incomplete throughout this case but specifically concerning Reed’s interests in and control over Gall and Gall Company, Inc. There is a substantial difference between Gall and Gall’s access to database information as a mere “customer” of LexisNexis and the corporate control and access to database information that might be provided by corporate parent Seisint, Inc. to one of its own subsidiaries, Gall and Gall Company, Inc.

3. On May 30, 2007, Reed provided another general, non-specific document production that it claimed was responsive to a May 15, 2007 discovery teleconference between the parties. Those fourteen pages were bates numbered D00107-D00121. The total amount of documents produced for a large corporate database entity was only eighty-six pages.
4. The second discovery production contained documents evidencing the Maine Board of Bar Examiners’ routine access to Accurint databases, bates numbered D00107-D00111 as a customer of LexisNexis, while Gall and Gall Company, Inc. and other Seisint, Inc. subsidiaries access those databases by way of association with Seisint, Inc. as corporate parent. Reed has randomly refused to produce discovery concerning the Maine Board of Bar Examiners access to LexisNexis and Seisint, Inc. databases concerning information

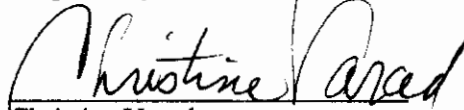
on Varad as contained in Request No. 3 and Request No.6. Where the Maine Board of Bar Examiners has now noticed Varad that is will seek to quash a subpoena requesting discovery of that material information, Varad stands be prejudicially left without any access to important, relevant and material discovery containing evidence that is essential to the claims and issues presented by the instant case should Reed's many objections to producing that discovery be allowed to stand.

CONCLUSION

For all of the foregoing reasons, this Court should find that Defendant Reed Elsevier Incorporated, d.b.a. *LexisNexis, LexisNexis Risk & Information Analytics Group, Inc.*, has failed to respond to *Plaintiff's First Request for Production of Documents*.

June 18, 2007

Respectfully submitted,



Christine Varad

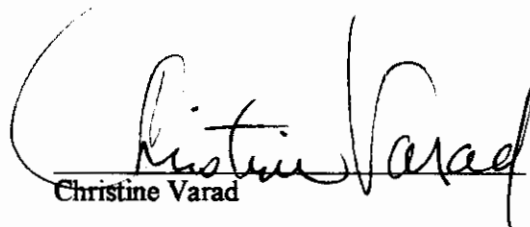
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I certify that on the 21st day of June 2007, I caused a copy of "*PLAINTIFF'S RESPONSE TO DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS*" to be served IN HAND on the attorney of record for defendant Reed Elsevier, Incorporated:

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Christine Varad