

# United States District Court District of Massachusetts

JACQUELINE SNAZA,  
WAYNE SNAZA, ETC.,  
Plaintiffs,

v.

CIVIL ACTION NO. 2009-10017-PBS

STUDENTCITY.COM, INC.,  
HOWARD JOHNSON INTERNATIONAL, INC.,  
HOWARD JOHNSON FRANCHISE SYSTEMS, INC.,  
Defendants.

## ***ORDER ON PLAINTIFFS' MOTION TO COMPEL DISCOVERY FROM DEFENDANT STUDENTCITY.COM (#161)***

COLLINGS, U.S.M.J.

The Court takes the following action on Plaintiff's Motion to Compel Discovery from Defendant StudentcCity.com (hereinafter, "the defendant") (#161):

### Requests for Production

*Request #12* - ALLOWED as follows; otherwise DENIED: The responsive documents previously produced in the

Texas litigation shall be identified by Bates stamp numbers. The defendant shall answer the interrogatory for the time period January 1, 2004 to January 1, 2006 as to any hotel in Mexico in which students were booked pursuant to a vacation package sold by the defendant. All objections to providing this information are OVERRULED.<sup>1</sup>

### Admissions

*Requests ##16 & 22* - DENIED. The Court agrees that what the defendant does or does not do now (in 2010) is irrelevant.

*Requests ##20 & 21* - The objections are OVERRULED; the requests for admissions have been denied.

*Request # 23* - The objection is SUSTAINED. If the plaintiffs are seeking an admission that the basic room charge for Duane Snaza's room was paid to the hotel by the defendant after Duana Snaza paid for the package and that Duane Snaza did not pay the hotel directly for the basic room charge, it may serve a request phrased in that manner. It appears that the defendant would respond by admitting the accuracy of such a statement.

### Interrogatories

*Interrogatory #3* - DENIED. The Court agrees that what the defendant does or does not do now (in 2010) is irrelevant.

*Interrogatory #8* - The objections are OVERRULED since the

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<sup>1</sup>

The Court does not, by ordering discovery post-March 6, 2005, indicate that such material would be admissible, but if not admissible, it may lead to the discovery of admissible evidence.

defendant answered the interrogatory. Beyond what has been answered, the interrogatory cannot be said to call for communications between the defendant and its attorney.

*Interrogatory #14 -* The objections are OVERRULED. The defendant has answered the interrogatory.

The defendant is ORDERED, pursuant to Rule 37(a)(2), Fed.R.Civ.P., to serve further answers to interrogatories and to produce further documents to the extent provided by the within Order *on or before the close of business on June 21, 2010.*

No costs.

*/s/ Robert B. Collings*

ROBERT B. COLLINGS

United States Magistrate Judge

Date: June 8, 2010.