

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 12-11117-MLW

FRIEDRICH LU,
Plaintiff,

v.

GEORGE HULME, in his individual
capacity and in his official capacity, and the
TRUSTEES OF THE BOSTON PUBLIC
LIBRARY,
Defendants.

**DEFENDANTS GEORGE HULME AND THE TRUSTEES OF THE BOSTON PUBLIC
LIBRARY'S OPPOSITION TO PLAINTIFF'S MOTION TO COMPEL CITY
ATTORNEY TO PRODUCE CORRESPONDENCE BETWEEN COURT AND HER**

Defendants George Hulme ("Hulme") and the Trustees of the Boston Public Library ("Trustees") (collectively, "Defendants") hereby submit this Opposition to Plaintiff's Motion to Compel City Attorney to Produce Correspondence between Court and Her ("Plaintiff's motion"). Plaintiff's baseless motion expresses his dissatisfaction with defense counsel's response to his request for correspondence between counsel and the Court. *See Exhibit A*, Email exchange between Plaintiff and Assistant Corporation Counsel Caroline Driscoll, dated July 1-16, 2013; *see also Exhibit B*, Email from Plaintiff to Assistant Corporation Counsel Caroline Driscoll, dated July 21, 2013.

As stated in Exhibit A, when asked by Plaintiff for any correspondence between counsel and the court, counsel replied that "all correspondence, which is limited to just filings, is reflected in the docket." Defense counsel declined to comply with Plaintiff's request for an

affidavit because it was procedurally inadequate under discovery rules. In short, counsel responded appropriately and truthfully; no further response was necessary.

CONCLUSION

Accordingly, Defendants respectfully request that the Court deny Plaintiff's Motion to Compel.

Respectfully submitted,

DEFENDANTS GEORGE HULME, in his individual capacity and in his official capacity and TRUSTEES OF THE BOSTON PUBLIC LIBRARY

William Sinnott
Corporation Counsel

By their attorneys:

/s/Caroline O. Driscoll
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Date: July 13, 2013

LOCAL RULE 7.1 CERTIFICATION

I certify that on July 13, 2013, I filed this document through the Court's CM/ECF system and that an electronic copy will be sent via email to those identified as non-registered participants per agreement with Plaintiff.

/s/Caroline O. Driscoll
Caroline O. Driscoll