

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

SAINT LOUIS UNIVERSITY, )  
a Missouri benevolent corporation, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
AVIS MEYER, )  
 )  
Defendant. )

Case No. 4:07CV01733 CEJ

**PLAINTIFF SAINT LOUIS UNIVERSITY’S MOTION TO COMPEL  
FULL AND COMPLETE INTERROGATORY ANSWERS FROM  
DEFENDANT AVIS MEYER**

COMES NOW Plaintiff Saint Louis University (“Plaintiff” or “SLU”), by and through its undersigned attorneys, and hereby submits its Motion to Compel Full and Complete Interrogatory Answers from Defendant Avis Meyer. In support of its Motion, Plaintiff states:

1. Plaintiff propounded Interrogatories upon Defendant Avis Meyer (“Defendant” or “Meyer”) on February 7, 2008.
2. Defendant submitted answers to those Interrogatories on March 19, 2008. See Defendant’s Answers to Plaintiff’s First Set of Interrogatories, attached hereto as Exhibit 1.
3. During Defendant’s June 4, 2008 deposition, it became abundantly clear that Defendant’s sworn answers to Interrogatory Nos. 2, 4, 9, and 12 are sorely deficient, in many ways evasive, and at least in one instance, straight-up false. See, e.g., Deposition of Avis Meyer, at pp. 136-52, attached hereto as Exhibit 2.

4. Defendant has not come close to fulfilling his obligations under Rule 33 of the Federal Rules of Civil Procedure to provide full and complete information in response to discovery requests, which is frustrating SLU's ability to prepare its case.

5. Defendant was not able to provide full information during his deposition, and even though the deficiencies in the Interrogatory answers were raised at that time, Defendant Meyer has failed to serve supplemental answers to date.

6. Pursuant to Rule 37(a)(3) and (4), Plaintiff files this Motion seeking an order compelling full answers to Interrogatory Nos. 2, 4, 9, and 12.

7. Additionally, pursuant to Federal Rule of Civil Procedure 37(a)(5), Defendant should be ordered to pay the attorneys' fees incurred by Plaintiff in preparing this Motion and otherwise seeking full responses to the Interrogatories.

8. Despite good faith attempts to resolve this dispute, including in-person conferences attended by Frank B. Janoski, Bridget Hoy, and Brian Gill on June 4, 2008 and June 11, 2008 (also attended by Scott A. Smith) and a telephone conference between Bridget Hoy and Brian Gill at 9:30 a.m. on July 8, 2008, the parties are unable to reach a resolution.

9. A Memorandum in Support of this Motion is filed herewith and incorporated herein by reference.

WHEREFORE, Plaintiff Saint Louis University requests that this Court grant the instant Motion to Compel Full and Complete Interrogatory Answers from Defendant Avis Meyer, enter an award of attorneys' fees incurred herein, and grant such other and further relief as this Court deems just and proper.

Respectfully submitted,

**LEWIS, RICE & FINGERSH, L.C.**

By:     /s/ Frank B. Janoski      
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ATTORNEYS FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

I hereby certify that on the 8th day of July, 2008, the foregoing was hand-delivered to:

Brian J. Gill  
Polster, Lieder, Woodruff & Lucchesi, L.C.  
12412 Powerscourt Drive, Suite 200  
St. Louis, Missouri 63131-3615

I further certify that on the 8th day of July, 2008, the foregoing was filed with the Clerk of Court to be served via the Court's ECF system upon all counsel of record.

    /s/ Frank B. Janoski      
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