

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
NO: 7:12-CV-20FL

FILED
MAY 21 2012
JULIE A. RICHARDS, CLERK
US DISTRICT COURT, EDNC
BY ELP DEP CLK

SHERRYL LYNN JACOBS)

Plaintiff,)

vs.)

)

ROBESON COUNTY PUBLIC LIBRARY)

BOARD OF DIRECTORY FOR ROBESON)

MOTION TO QUASH/SUPPRESS

COUNTY PUBLIC LIBRARY,(ROBERT F.)

FISHER, HORACE STACY, GAYLE)

McLEAN, TINA MELLEN-STEPP-)

THOMAS, ELIZABETH TOWNSEND,)

LARRY McGOUGAN)

Defendants.)

PLEASE TAKE NOTICE that, before United States District Court Judge, Louise W. Flanagan the Plaintiff, Sherryl Lynn Jacobs, moves that this Court quash/suppress all evidence and testimony obtained from any and all person or persons who had no personal knowledge of the plaintiff prior to September 8th, 2009, the date of the plaintiff's termination of employment and any documentation that was not included in the packet provided to the Plaintiff by the Defendants Attorney as an Accurate Complete Copy of the Plaintiff's Personnel File.

This motion is made on the following grounds: (1) That any evidence or testimony provided by any person or persons having no personal knowledge of the plaintiff while said

plaintiff was employed at the Robeson County Public Library is of no probative value in this case and would be submitted by the defendants only to prejudice the court. (2) That evidence or testimony provided by any person or persons having no personal knowledge of the plaintiff while said plaintiff was employed with the Robeson County Public Library would be tantamount to perjury or at the least, making inflammatory statements to confuse the court.

19 May 2012

Date

A handwritten signature in cursive script, reading "Sherry Lynn Jacobs", written over a horizontal line.

Signature of Plaintiff

Post Office Box 175, Orrum, NC 28369

Phone: 910-740-3683/628-6334

Address and Phone Number of Plaintiff

MEMORANDUM OF POINTS

A. STATEMENT OF FACTS

1. SUMMARY OF THE UNDISPUTED FACTS RELEVANT TO THIS MOTION:

During the time of the plaintiff's employment with the Robeson County Public Library she had no personal contact with Ms. Pratt, Assistant District of Attorney, for Robeson County and met fact to face on an official basis only once with Robeson County Public Library Board Members Mr. McGougan, Ms. Townsend, or Mr. Stacy, and Ms. McLean.

2. BACKGROUND:

The plaintiff, Sherryl Lynn Jacobs was employed at the Robeson County Public Library for approximately eleven years from December 1998 until September 2009. During her employment there she was advanced to two supervisory/management positions. The plaintiff served the Robeson County Public Library admirably and was encouraged to further her education in the field of Library Science, which she did. As part of her Work Study Program, needed for her degree, the plaintiff was also given the responsibility to update/rewrite the Robeson County Public Library's Personnel Manual, which she completed without fail and with little or no supervision. Mr. Fisher suggested that she further her education with classes targeted at supervision.

3. THE DEFENDANT'S RULE 26 (a) (1) INITIAL DISCLOSURES.

As with most evidence related to employee termination, it is mostly made up of "boilerplate" language about the general characteristics of the person terminated.

- They more often than not portray the employee as disgruntled.

- They collect general statements from people who have very limited personal knowledge of the individual in question, i.e. Mr. Stacy, Ms. McLean, Mr. McGougan, Ms. Townsend, and Ms. Pratt.
- They garner statements from other employees who worked with the terminated individual. These statements are of limited value, because the employees giving said statements are themselves ensuring that they keep their jobs.

B. ARGUMENT

DEFENDANT HAS A RIGHT TO MOVE TO QUASH/SUPPRESS THESE ITEMS

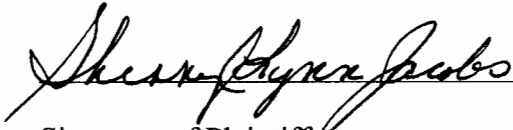
The Plaintiff may move to quash and to suppress inflammatory evidence/testimony on the grounds that the person or persons providing said evidence/testimony had no personal knowledge of the plaintiff.

C. CONCLUSION

Accordingly, all evidence/testimony obtained from the above named individuals must be quashed or suppressed.

19 May 2012

Date



Signature of Plaintiff

Post Office Box 175, Orrum, NC 28369

Phone: 910-740-3683/628-6334

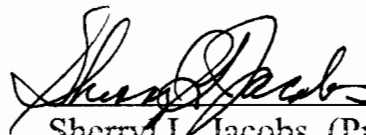
Address and Phone Number of Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that as copy of the foregoing has been served upon Plaintiff by depositing a copy thereof in the United States Mail, first-class, postage prepaid, addressed as follows:

Law Office of William R. Purcell, II, PLLC
ATTN: Mr. William R. Purcell, II
210 West Cronly Street
Post Office Box 1567
Laurinburg, North Carolina 28352

This the 21st day of May, 2012



Sherry L. Jacobs (Pro Se)
Post Office Box 175
Orrum, North Carolina 28369