

Sagadahoc, ss.

Docket No. BATSC-RE-11-027
AMH - SAG - 3/6/2012

ROBERT SPICKLER

Plaintiff

v.

OLIVER DOMINICK

Defendant

ORDER

This civil action came before the court for a discovery conference. Plaintiff Robert Spickler participated *pro se*. Defendant Oliver Dominick was absent but appeared through his attorney, Frederick Moore, Esq.

There was discussion about pending discovery and scheduling depositions. The court requested, and the parties agreed, that the parties will cooperate in scheduling depositions and in conducting other discovery.

On February 24, 2012, Mr. Spickler filed a Motion Seeking Equal Treatment During Court Procedures. The court advised him that such a motion was unnecessary because he had the same right to fair and equal treatment as any other party, but indicated that the motion would be granted because to deny it might imply otherwise. Defendant did not object.

Also, the court raised the question whether this case and another civil action in this court, *Parker Head Association v. Spickler*, Docket No. BATSC-CV-11-13, should be consolidated or at least scheduled together. The parties agreed to discuss that question. Mr. Spickler advised that he intends to ask attorney David Hirshon, who represents Mr. Spickler in the other case, to enter an appearance in this case as well.

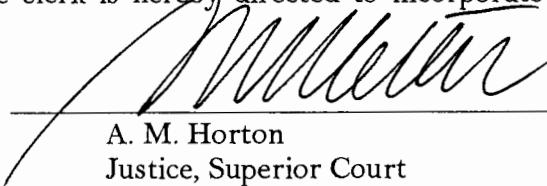
As a result of the foregoing, it is hereby ORDERED AS FOLLOWS:

1. Defendant's Motion for Protection is dismissed because it was filed without prior authorization under M.R. Civ. P. 26(g)(1).
2. Plaintiff's Motion Seeking Equal Treatment During Court Procedures is granted.
3. The parties will cooperate in scheduling depositions and in other forms of discovery as well. With regard to Plaintiff's request to take the deposition of the Defendant, Defendant's counsel will provide Plaintiff forthwith with at least five dates on which Defendant and his

counsel are available, and Plaintiff will forthwith either notify the Defendant's attorney which of those dates Plaintiff is selecting for Defendant's deposition or, if the Plaintiff is not available on any of the proffered dates, request another five dates. This process will continue until a mutually agreeable date for Defendant's deposition to be taken is established.

Pursuant to M.R. Civ. P. 79(a), the clerk is hereby directed to incorporate this order by reference in the docket.

Date: 6 March 2012



A. M. Horton
Justice, Superior Court

ROBERT D SPICKLER - PLAINTIFF
25 ROCK LEDGE DRIVE
PHIPPSBURG ME 04562

SUPERIOR COURT
SAGADAHOC, ss.
Docket No BATSC-RE-2011-00027

vs

OLIVER DOMINICK - DEFENDANT
132 CAPTAIN JOHN PARKER RD
PHIPPSBURG ME 04562
Attorney for: OLIVER DOMINICK
FREDERICK MOORE - LIMITED
SCHULTE & MOORE
511 CONGRESS STREET
SUITE 805
PORTLAND ME 04101

DOCKET RECORD

Filing Document: COMPLAINT
Filing Date: 10/17/2011

Minor Case Type: OTHER REAL ESTATE