

IN THE _____ COURT OF _____ COUNTY,

_____ DIVISION

_____,

Plaintiff,

v.

_____,

Defendant.

Case No. _____

MOTION TO COMPEL DISCOVERY

Plaintiff, by and through undersigned counsel, hereby moves this Honorable Court for an Order compelling Defendant to provide complete and adequate responses to Plaintiff's outstanding discovery requests, and for such other relief as this Court deems just and proper. This Motion is made pursuant to the applicable rules of civil procedure governing discovery and is based upon the grounds set forth below, the attached exhibits, and any argument presented at a hearing on this Motion.

I. PROCEDURAL BACKGROUND

1. This is a civil action pending before this Court.
2. On the _____ day of _____, 20_____, Plaintiff served its First Set of

Interrogatories, First Request for Production of Documents, and First Request for Admissions upon Defendant. A copy of the Proof of Service for these discovery requests is attached hereto as Exhibit A.

3. Defendant's responses to Plaintiff's First Set of Interrogatories, First Request for Production of Documents, and First Request for Admissions were due on the _____ day of _____, 20_____.

4. On the _____ day of _____, 20_____, Defendant served its responses to Plaintiff's First Set of Interrogatories, First Request for Production of Documents, and First Request for Admissions. A copy of Defendant's responses is attached hereto as Exhibit B.

II. STATEMENT OF FACTS

5. Defendant's responses to Plaintiff's discovery requests are incomplete, evasive, and/or contain improper objections, thereby impeding Plaintiff's ability to prepare for trial.

6. Specifically, Defendant failed to provide substantive answers to Interrogatory Nos.

_____, _____, and _____, instead offering boilerplate objections that the requests were "overly broad," "unduly burdensome," and "not reasonably calculated to lead to the discovery of admissible evidence," without providing any factual basis for such objections or producing any responsive information.

7. Regarding Plaintiff's Request for Production of Documents Nos.

_____, _____, and _____, Defendant objected to the production of all requested documents, asserting privilege or work product protection, but failed to provide a privilege log identifying the withheld documents, their nature, the basis for the privilege claimed, and other information necessary to evaluate the validity of the objection.

8. Defendant's responses to Request for Admissions Nos. _____, _____, and _____ were evasive, neither admitting nor denying the statements, or asserting that Defendant lacked sufficient information to admit or deny, despite the information being readily available to Defendant.

9. Plaintiff's counsel has made good faith efforts to resolve these discovery disputes with Defendant's counsel without court intervention. On the _____ day of _____, 20_____, and again on the _____ day of _____, 20_____, Plaintiff's counsel

conferred with Defendant's counsel via _____ (e.g., telephone, email, in-person meeting) to discuss the deficiencies in Defendant's responses.

10. Despite these good faith efforts, the parties have been unable to resolve the disputes, and Defendant has refused to provide the requested complete and adequate discovery responses.

III. GROUNDS FOR MOTION TO COMPEL

11. The information and documents sought by Plaintiff's discovery requests are relevant to the claims and defenses in this action and are discoverable under the applicable rules of civil procedure.

12. Defendant's objections are without merit, as the requests are narrowly tailored to obtain relevant information and documents, and Defendant has failed to demonstrate how the requests are overly broad, unduly burdensome, or privileged.

13. Defendant's failure to provide a privilege log for withheld documents violates its discovery obligations and prevents Plaintiff from challenging the asserted privileges.

14. Defendant's evasive responses to the Requests for Admissions are improper and frustrate the purpose of discovery, which is to narrow the issues for trial.

15. Plaintiff has a right to the requested discovery to adequately prepare its case and avoid surprise at trial. Defendant's continued refusal to provide complete responses prejudices Plaintiff.

IV. RELIEF REQUESTED

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter an Order:

A. Compelling Defendant to provide full and complete responses to Plaintiff's Interrogatory Nos. _____, _____, and _____, without objection, within _____ days of the date of this Order.

B. Compelling Defendant to produce all documents responsive to Plaintiff's Request for Production of Documents Nos. _____, _____, and _____, or, if any documents are withheld on the basis of privilege or work product, to provide a detailed privilege log for such documents, within _____

_____ days of the date of this Order.

C. Compelling Defendant to provide unequivocal admissions or denials to Plaintiff's Request for Admissions Nos. _____, _____, and _____, within _____ days of the date of this Order.

D. Awarding Plaintiff the reasonable expenses incurred in bringing this Motion, including attorney's fees, as permitted by the applicable rules of civil procedure.

E. Granting such other and further relief as this Court deems just and proper.

Dated: _____ day of _____, 20 _____

Respectfully submitted,

Signature

Printed Name: _____

Bar No.: _____

Attorney for Plaintiff Street Address:

City: _____ **State:** _____ **Zip Code:** _____

Phone: _____

Email: _____

CERTIFICATE OF SERVICE

I hereby certify that on this _____ day of _____, 20 _____, a true and correct copy of the foregoing MOTION TO COMPEL DISCOVERY was served upon counsel for Defendant via _____ (e.g., U.S. Mail, electronic mail, hand delivery) at

the following address:

Recipient Role: Counsel for Defendant:

Recipient Name / Address: _____

Street Address: _____

City: _____ **State:** _____ **Zip Code:** _____

Email: _____

Signature