

IN THE CIRCUIT COURT OF COUNTY, MISSISSIPPI

PLAINTIFF

VS.

CIVIL ACTION NO.

DEFENDANT

**DEFENDANT'S MOTION FOR PROTECTIVE ORDER
AND RESPONSE TO PLAINTIFF'S MOTION TO COMPEL**

COMES NOW, , DEFENDANT, by way of his/her attorney and files this his/her Response to Plaintiff's Motion to Compel and Motion for Protective Order and in support of which would show the following:

1. On Defendant delivered responses with objections to Interrogatories Nos. as follows:

 a. Interrogatory No. is answered in Interrogatory No. as noted in the response. Further, to list each and every conversation since Defendant and met would be unduly burdensome to Defendant, and Defendant's position is that any phone conversations pertaining to business matters or after the divorce of the Plaintiff and are irrelevant and not calculated to lead to the discovery of admissible evidence.

 b. Interrogatories Nos. are irrelevant to the issue at hand. Further, the request is overly broad and unreasonable in that it requests that Defendant provide private financial information, which is unrelated to the discovery of admissible evidence.

 c. Interrogatory No. is overly broad in that it asks for airline trips taken before Defendant met and after the Plaintiff was divorced from his/her husband/wife. Neither is relevant to the discovery of admissible evidence related to the issue at hand.

 d. Interrogatories Nos. are overly broad in that they ask for information concerning activities which took place after the divorce of the Plaintiff and . Further, the pertinent information is given to the Plaintiff in Defendant's responses to Admissions Nos. .

 e. Interrogatory No. is objectionable in that it requests the subject matter to which the witnesses may testify. In addition, the Defense has not at this time made final decisions on witnesses in this case.

2. On , Defendant delivered responses with objections to all Requests for Production of Documents. The requests are objectionable in that such requests asks for personal financial records which are not related to the matter at hand. Such production is unduly burdensome and further pertinent to business matters or matters after the divorce of the Plaintiff and which are irrelevant and not calculated to lead to the discovery of admissible evidence. Further, it is the Defendant's position that this action is frivolous and taken for

purposes of harassment by the Plaintiff and as such Defendant has asked for sanctions in his/her answer pursuant to Rule 11, Miss. Rules Civil Procedure and the Litigation Accountability Act of 1988, Miss. Code Ann., Sec. 11-55-1. To produce said documents would give the Plaintiff the opportunity to further harass the Defendant, and possibly do his/her financial harm.

WHEREFORE PREMISES CONSIDERED, Defendant moves this Court to deny the Plaintiff's Motion to Compel the aforementioned discovery and award the Defendant attorney's fees and expenses in an amount as the Court may deem proper and just in defending said Motion.

DEFENDANT FURTHER PRAYS that this Court would enter a Protective Order pursuant to Rule 26(d)(1) Miss. Rules Civil Procedure denying the discovery requested in Interrogatories Nos. _____ and all Requests for Production of Documents.

DEFENDANT FURTHER PRAYS that this Court would enter a Protective Order pursuant to Rule 26(d)(4) Miss. Rules Civil Procedure as to Interrogatories Nos. _____ such as to limit the discovery to the time period after the Defendant met _____ and prior to the divorce of the Plaintiff and _____, and to exclude any discovery that concerns the Defendant's business dealings with _____.

DEFENDANT FURTHER PRAYS for any further relief as deemed proper by this Court.

Respectfully submitted,

Attorney for

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and correct copy of the above and foregoing pleading was mailed this day by United States Mail, first class postage prepaid to _____.

DATED this the _____ day of _____.
