

IN THE CIRCUIT COURT OF COUNTY, MISSISSIPPI

PLAINTIFFS

V. CIVIL ACTION NO.

DEFENDANTS

MOTION TO QUASH DEPOSITION SUBPOENA DUCES TECUM

COMES NOW by and through its attorney and moves the Court to Quash Deposition Subpoena Duces Tecum served upon it , . In the alternative, Movant prays that the Defendants be required to submit written questions under Rule 31, Mississippi Rules of Civil Procedure as to the information contained in Request numbers 1, 2 and 3b under the "knowledge" portion of the Subpoena Duces Tecum and number 2 under the "records" portion of the Subpoena Duces Tecum. As grounds therefore, Movant would respectfully show to the Court the following, to wit:

1. was sold to the present owner on .
2. Movant has no knowledge and/or records pertaining to the information requested in Numbers 3a, 3c, and 3e of the first section of the Subpoena Duces Tecum and Numbers 1 and 3 of the second section of the Subpoena Duces Tecum. Movant states that the information requested in number 3d in the first section and in number 4 in the second section are overly broad and burdensome, and would, have very little relevance to the income of . No sales associate was an employee and therefore there are no payroll records as to sales associates.
3. Movant has the knowledge and/or records to generate answers to written questions submitted under Rule 31, Mississippi Rules of Civil Procedure as to the name, address, telephone number and date of affiliation of all sales agents for the company in and , along with the commissions earned by in and . The estimated time to secure this information is hours and can be produced in response to MRCP Rule 31 questions.
4. WHEREFORE, PREMISES CONSIDERED, movant prays that upon hearing of this matter, that this Court will issue an order Quashing the Deposition Subpoena Duces Tecum and release movant from responsibility to appear at said deposition; and further ordering the reimbursement of salary of a person to research the answers to the questions submitted under MRCP Rule 3 1, and reimbursement of attorney's fees in connection with the preparation and attendance at the hearing on this Motion.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I do hereby certify that I have this date caused to be mailed, by United States Mail Postage prepaid and also sent by facsimile transmission a true and correct copy of the above and foregoing Motion To Quash Deposition Subpoena Duces Tecum to \_\_\_\_\_, attorneys for Defendants; and to \_\_\_\_\_ attorneys for Plaintiffs.

This the \_\_\_\_\_ day of \_\_\_\_\_ .

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