

**IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA**

**LAKE FOREST PROPERTY OWNERS' ASSOCIATION, INC.** \*

**PLAINTIFF,** \*

**vs.** \*

**NO. CV-2023-900163**

**LAKE FOREST STRONG, DOREEN KNIGHT, EVE GRAY, DEXTER CURRY, CATHIE MARX, LYNN DAVIS, AND FICTITIOUS PARTIES 1-100** \*

**DEFENDANTS.** \*

**PLAINTIFF'S OPPOSITION TO MOTION FOR PROTECTIVE ORDER TO STAY DISCOVERY AND MOTION TO COMPEL**

Comes now Plaintiff Lake Forest Property Owners' Association, Inc. ("Plaintiff" or "LFPOA") and files its opposition to the motion for protective order seeking to stay discovery filed by Defendants Cathie Marx and Lynn Davis (the "Defendants"). The Plaintiff further moves the Court pursuant to Rule 37 of the Alabama Rules of Civil Procedure to compel the Defendants to respond to the interrogatories and requests for production served with the complaint. Ala. R. Civ. P. 37. In support of its position, the Plaintiff states as follows:

1. The Plaintiff served interrogatories and requests for production on the Defendants with the complaint on February 11, 2023. (Doc. 3, 11, 8, 21.) The Defendants' discovery responses were due on March 28, 2023, according to Rules 33 and 34 of the Alabama Rules of Civil Procedure. Ala. R. Civ. P. 33, 34.

2. To delay responding to the discovery, the Defendants filed a motion to dismiss, which the Plaintiff has filed a separate opposition thereto.

3. Because the Court should deny the Defendants' motion to dismiss, the Court should compel the Defendants to respond to the discovery within ten (10) days of the Court's order.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 21<sup>st</sup> day of April, 2023, I electronically filed the foregoing with the Clerk of Court using the Alafile electronic document filing system which sends notification of such filing to the following attorneys of record:

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