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IN THE COURT OF CLAIMS

JAMES DANIEL HUGHES, et al.)	CASE NO.: 2012-09059
)	
Plaintiffs.)	JUDGE: PATRICK M. MCGRATH
)	
vs.)	
)	<u>PLAINTIFF'S MOTION FOR LEAVE TO</u>
THE OHIO STATE UNIVERSITY.)	<u>FILE ADDITIONAL DISCOVERY</u>
)	<u>REQUESTS</u>
Defendants.)	
)	
)	
)	

Now come Plaintiffs, pursuant to Ohio Civil Rule 33, and hereby moves this Court for Leave to file additional Interrogatories.

Civil Rule 33 limits each party to 40 Interrogatories, including subparts. There are no limits placed on proper Requests for Production of Documents. However, by leave of Court, a party may request and serve on opposing parties additional Interrogatories. Due to the volume of Discovery already produced, the number of depositions and the amount of material yet to be produced, Plaintiff's respectfully request this Court for Leave to serve additional Interrogatories on the Defendants in this matter.

This Court has set a Discovery Schedule in this matter, including trial on January 5, 2015. To date thousands of pages of records, contracts, emails, meeting minutes and other material have been exchanged between all parties. In addition, nearly 30 depositions have been taken with several more fact depositions to be accomplished. Some of these depositions have led to the necessity to request additional information and documents in an effort to avoid additional depositions from having to be taken.

ON COMPUTER

Given the extensive amount of material, which must be exchanged, Plaintiff's seek Leave from this Court to propound additional Interrogatories to the Defendant in this matter. To date, Plaintiff's have propounded over 40 Interrogatories to Defendant, and they have refused to answer any further. Plaintiffs ask this Court for Leave to file an additional 40 Interrogatories as well as additional document requests pursuant to Ohio Civil Rule 34. This would allow Discovery of additional material in time for Plaintiff's expert identification as well as potentially avoid additional depositions of individuals.

Respectfully submitted,

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CERTIFICATE OF SERVICE

A copy of the foregoing *Plaintiff's Motion for Approval of Additional Discovery Requests*
has been sent via E-Mail on the 9th day of December, 2013 upon:

Peter E. DeMarco, Esq.
Court of Claims Defense
150 East Gay Street, 18th Floor
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December 9, 2013

Court of Claims of Ohio-Clerk of Courts
The Ohio Judicial Center
65 South Front Street
Columbus, OH 43215

Re: *James D. Hughes, et al. v. The Ohio State University*
Case No.: 2012-09059

Dear Clerk:

Enclosed is the original and one copy of the following:

- Plaintiff's Motion for Leave to File Additional Discovery Requests (with Proposed Judgment Entry)

Would you please:

- File accordingly,
- Return a time stamped copy of the Motion in the self-addressed, stamped envelope provided.

Thank you in advance for your assistance with this filing.

Sincerely,

Stephen S. Crandall, Esq.

Enc.

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