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COURT OF CLAIMS
OF OHIO

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IN THE OHIO COURT OF CLAIMS
STATE OF OHIO

DAVID A. BENTKOWSKI)	CASE NO. 2014-00651
)	
Plaintiff,)	JUDGE PATRICK M. McGRATH
)	
vs.)	
)	
OHIO LOTTERY COMMISSION)	
)	
Defendant.)	

MOTION TO EXTEND DISCOVERY AS TO NON-PARTY JAI CHABRIA

Plaintiff, David A. Bentkowski, through his undersigned counsel of record, Brent L. English, respectfully moves this Court for on Order extending discovery in this case in relation to non-party witness, Jai Chabria, currently scheduled for August 31, 2015 at 1:00 p.m. at the offices of the Ohio Lottery Commission in Cleveland, Ohio.

Mr. Chabria has filed a Motion to Quash the Subpoena served upon him (on August 25, 2015). While he makes assertions in his motion to quash as to why his deposition should not be taken, Plaintiff believes his assertions are disingenuous and that this discovery is necessary. Plaintiff will file a response with supporting arguments and documents by Monday, August 31, 2015. However, given that the deposition is scheduled to take place on Monday, August 31, 2015, Plaintiff requests that, if the Court does not grant the Motion to Quash, after Plaintiff has an opportunity to respond, that the discovery cutoff in this case be enlarged so that this deposition may be taken.

WHEREFORE, in the interest of justice and for good cause shown, David A. Bentkowski respectfully requests that the discovery cutoff as to Jai Chabria be extended to a mutually agreeable date after August 31, 2015.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that a true and complete copy of the foregoing Motion to Extend Discovery as to Non-Party Jai Chabria was served by first class U.S. Mail, postage prepaid and by e-mail upon Randall Knutti, Esq., Assistant Attorneys General, 150 East Gay Street, 25th Floor, Columbus, Ohio 43215, randall.knutti@OhioAttorneyGeneral.gov and upon Sarah E. Pierce, Esq., Attorney for Jai Chabria, Assistant Attorney General, Constitutional Offices Section, 30 East Broad Street, 16th Floor, Columbus, Ohio 43215-3428 and by email to sarah.pierce@ohioattorneygeneral.gov, on this 29th day of August 2015.



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Attorney for Plaintiff, David A. Bentkowski