

**IN UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 15-cv-20782-Martinez

DENNIS MONTGOMERY,

Plaintiff,

v.

RISEN, ET AL.

Defendants.

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**PRAECIPE CONCERNING INITIAL DISCLOSURES**

Plaintiff Dennis Montgomery, hereby files this Praecipe with the Court. An issue arose between the parties with the Court's Order Requiring Parties to Meet and File Joint Scheduling Report and Proposed Order of April 1, 2015 ("Order")(ECF No. 16). Plaintiff understood the Court's Order as requiring the exchange of documents, and not just a description of the documents. *See* Order at p. 2. Defendants disagree and hold the position that only a description of the documents and their location would be all that was required and thus they are refusing to provide documents under the Court's Order. It is obvious Defendants do not want to produce documents on April 24, 2015, since Plaintiff's oppositions to their pending motions to dismiss are due on April 27, 2015. These documents, which Defendants refuse to produce, are obviously relevant to the non-meritorious arguments Defendants make in their motions to dismiss.

Plaintiff's counsel contacted the Court's clerk, Jennifer, who suggested that the parties call together in order to discuss the issue. Plaintiff contacted Defendants' counsel. Defendants' counsel has refused to hold a conference call with this Court's clerk.

Plaintiff will follow the Order as he understands it, and will provide documents to Defendants by the deadline, tomorrow, April 24, 2015.

Defendants' refusal to follow the Court's Order is another attempt to slow down this litigation, as was brought to the Court's attention in the status conference of April 14, 2015. A copy of the transcript of that status conference has been ordered and will be filed tomorrow when it is received from the court reporter.

Dated: April 23, 2015

Respectfully submitted,

/s/ Larry Klayman

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 23<sup>rd</sup> day of April, 2015, a true and correct copy of the foregoing (Case No. 15-cv-20782) was filed via CM/ECF and served upon the following:

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*/s/ Larry Klayman*

Larry Klayman, Esq.