

NO. FBT CV 15 6048103 S : SUPERIOR COURT
DONNA L. SOTO, ADMINISTRATRIX
OF THE ESTATE OF
VICTORIA L. SOTO, ET AL : JUDICIAL DISTRICT OF FAIRFIELD
V. : AT BRIDGEPORT
BUSHMASTER FIREARMS
INTERNATIONAL, LLC, a/k/a, ET AL : MAY 12, 2016

**PARTIAL OBJECTION TO MOTION FOR
EXTENSION OF TIME (DN #142.00)**

Plaintiffs hereby object in part to the Motion for Extension of Time to Object and Respond to Plaintiffs' First Requests for Production filed by defendants Remington Outdoor Company, Inc. and Remington Arms Company, LLC (#142.00).¹

In support of this Partial Objection, plaintiffs represent as follows:

1. As the Remington defendants acknowledge, the plaintiffs' First Requests for Production were served November 13, 2015.
2. On December 9, 2015, plaintiffs' counsel agreed to suspend the Remington defendants' obligations to respond to the First Set of Requests for Production, because the Remington defendants had indicated they would file a Motion to Dismiss on or before December 11, 2015. The agreement was to suspend this obligation until a reasonable time following the denial of the Motion to Dismiss.
3. At the time this agreement was reached, twenty-six days had elapsed from the service of the First Set of Requests for Production, during which the Remington defendants had an opportunity to begin to prepare objections and to gather responsive documents.

¹In connection with this Partial Objection, plaintiffs seek an additional order. Plaintiffs have therefore filed a companion motion requesting such additional relief, in addition to describing here the additional relief requested.

4. During the pendency of the Motion to Dismiss (December 11, 2015 to April 14, 2016, roughly four months) as well, the Remington defendants had an opportunity to prepare objections and to gather responsive documents.

5. The production of documents in this case may take some time. Although plaintiffs can schedule some depositions before some documents have been produced and are moving ahead to do so, delay in production of documents will impede plaintiffs' ability to move ahead with some important aspects of discovery. This is especially true of the Remington defendants' production, as they have represented the documents sought are voluminous.

6. The Remington defendants now seek until May 16, 2016 in which to file objections to the Plaintiff's First Set of Requests for Production and until June 13, 2016 in which to begin producing responsive documents.

7. Prior to filing this Partial Objection, the plaintiffs attempted to reach agreement concerning these issues with the Remington defendants, but were unable to do so as to all terms.

8. Plaintiffs do not believe the extension sought is either necessary or reasonable. Plaintiffs nonetheless do not object to the May 16 date for serving objections as long as the following additional conditions concerning the resolution of any such objections are imposed:

a. The Remington defendants' lead counsel has represented he is on trial in late May and unavailable to meet and confer concerning the Remington defendants' anticipated objections until Thursday, June 2, 2016;

b. Plaintiffs' counsel wishes to extend courtesy to counsel who is on trial and also wishes not to further delay discovery in this action;

c. Counsel will meet and confer concerning the Objections on June 2, 2016. (This date is agreed on.) Plaintiffs' counsel will then file an affidavit claiming the Remington defendants' Objections by Friday, June 3, 2016;

d. Plaintiffs' counsel accordingly requests that the Court schedule a supplementary hearing during the week of June 6, 2016 at which such objections may be addressed, if it deems argument necessary, and that the Court accordingly direct the parties to jointly contact Caseflow to select such a hearing date.

9. Plaintiffs do object to the extension to June 13 in which to begin producing responsive documents not subject to objection. There is no reason for defendants to delay in producing those documents. If the defendants cannot produce all responsive documents immediately, they can at least begin producing responsive documents, with the goal of completing production by June 13.

The plaintiffs accordingly request that the defendants' Motion be denied in part and that the following order enter:

- A. The Remington defendants shall file any Objections to the first Requests for Production by May 16, 2016;
- B. Counsel for the Remington defendants and counsel for the plaintiffs shall confer regarding such Objections on or before June 2, 2016;
- C. Counsel shall contact Caseflow and select a hearing time the week of June 6, 2016, at which the Court may hear argument on such Objections, if it deems such argument necessary;
- D. The Remington defendants shall begin to produce documents not subject to objection on May 16, 2016, and shall complete production of such documents by June 13, 2016.

CERTIFICATION

This is to certify that a copy of the foregoing has been mailed, postage prepaid, and emailed this day to all counsel of record, to wit:

*For Bushmaster Firearms International LLC, a/k/a;
Freedom Group, Inc., a/k/a;
Bushmaster Firearms, a/k/a;
Bushmaster Firearms, Inc., a/k/a;
Bushmaster Holdings, Inc., a/k/a
Remington Arms Company, LLC, a/k/a;
Remington Outdoor Company, Inc., a/k/a*

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