

DOCKET NO. LLI CV-15-6013124S : SUPERIOR COURT
RICHARD BLITZ, TRUSTEE OF THE
RICHARD BLITZ DEFINED BENEFIT : J.D. OF LITCHFIELD
PENSION PLAN AND TRUST
VS. : AT LITCHFIELD
GLEN LOVEJOY AND
KATHLEEN RIISKA-LOVEJOY : JUNE 13, 2016

MOTION FOR ORDER RE DEPOSITION

The defendants, Glen Lovejoy and Kathleen Riiska-Lovejoy, hereby move for an order compelling plaintiff's attendance at his deposition on July 5, 2016, or within ten days thereafter, as his deposition has been noticed several times without attendance. In support of this Motion, the defendants represent as follows:

1. Defendants noticed plaintiff's deposition on April 22, 2016 for May 20, 2016. Defendants were not contacted until two days prior to the deposition to be advised by plaintiff's counsel that had he a family event; plaintiff's counsel further requested the deposition proceed after discovery compliance. Defendants consented to renote the deposition and requested additional dates.

2. No dates were provided to proceed. Undersigned counsel proposed that the deposition take place on June 10, 2016, a date beyond discovery compliance, and a Second Notice of Deposition was issued on May 20, 2106 for said date.

3. Counsel for the plaintiff advised on June 7, 2016, that plaintiff was not available to appear for testimony. Again, dates were requested to proceed timely. Although undersigned counsel proposed dates to proceed; no response or alternative dates were provided by plaintiff's counsel.

4. Defendants issued Third Notice of Deposition for deposition testimony on July 5, 2016, a copy of which is attached as *Exhibit A*.

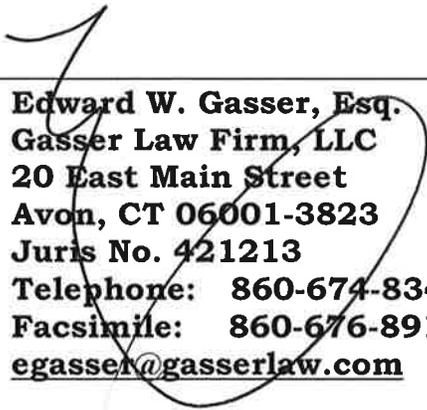
5. By way of background, this matter involves a fire at the plaintiff's property. The fire was set by defendants' son in March, 2014. Defendants' son subsequently committed suicide. Plaintiff claims money damages for the fire.

6. Defendants' appeal for timely resolution of the matter and require plaintiff's deposition testimony in order to file a Motion for Summary Judgment.

For the foregoing reasons, the defendants' Motion to Compel plaintiff's attendance at his deposition should be granted.

**THE DEFENDANTS,
GLEN LOVEJOY AND
KATHLEEN RIISKA-LOVEJOY**

By: _____

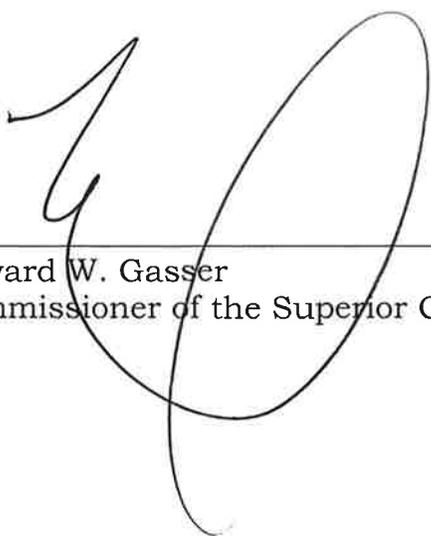

**Edward W. Gasser, Esq.
Gasser Law Firm, LLC
20 East Main Street
Avon, CT 06001-3823
Juris No. 421213
Telephone: 860-674-8342
Facsimile: 860-676-8912
egasser@gasserlaw.com**

CERTIFICATION

I hereby certify that a copy of the foregoing has been sent this date via electronic delivery to the following counsel of record accepting electronic delivery:

Zisca St. Clair, Esq.
Rome McGuigan PC
1 State Street
Hartford, CT 06103
zstclair@rms-law.com

Thomas G. Benneche, Esq.
885 Hopmeadow Street
Simsbury, CT 06070
tom@benneche.com



Edward W. Gasser
Commissioner of the Superior Court

EXHIBIT A

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THIRD NOTICE OF DEPOSITION

PLEASE TAKE NOTICE that, pursuant to Connecticut Rules of Court, Section 13-26 *et. seq.*, the Defendants will take the deposition of the Plaintiff, **RICHARD BLITZ**, in the above-entitled action, for discovery purposes and/or for use at the trial thereof, pursuant to the Rules of Court as made and provided before Esquire Corporate Solutions or other competent authority at **Gasser Law Firm, LLC, 20 East Main Street, Avon, Connecticut** on **July 5, 2016** at **1:00 p.m.** The oral examination will continue from day to day until completed.

**THE DEFENDANTS, GLEN LOVEJOY AND
KATHLEEN RIISKA-LOVEJOY**

By: _____

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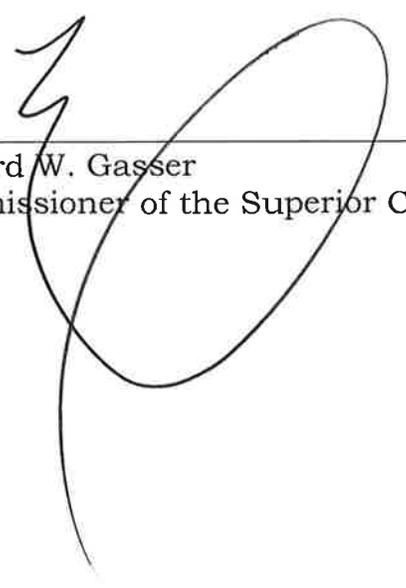
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Thomas G. Benneche, Esq.
885 Hopmeadow Street
Simsbury, CT 06070
tom@benneche.com

BOSTONSCHEDULING@ESQUIRESOLUTIONS.COM
Adjuster: Mr. Scott Bullen
Andover Insurance Company
Policy No.: HP193-77-72



Edward W. Gasser
Commissioner of the Superior Court