

NO. UWY-CV-14-6026552-S

NUCAP INDUSTRIES, INC. et al.,	)	SUPERIOR COURT
	)	
Plaintiffs,	)	J.D. OF WATERBURY
	)	
v.	)	
	)	
PREFERRED TOOL AND DIE, INC., et al.,	)	
	)	
Defendants.	)	APRIL 1, 2015

**DEFENDANTS PREFERRED’S OPPOSITION TO PLAINTIFFS’  
MOTION FOR ORDER OF COMPLIANCE TO RESPOND TO  
PLAINTIFFS’ INTERROGATORIES AND REQUESTS FOR PRODUCTION**

Preferred Tool and Die, Inc, and Preferred Automotive Components (“Preferred” or “Defendants”) hereby respond to Plaintiffs Nucap Industries, Inc. and Nucap US, Inc.’s (“Nucap” or “Plaintiffs”) Motion For Order Of Compliance To Respond To Plaintiffs’ Interrogatories And Requests For Production (“Motion”), dated March 18, 2015.

Nucap’s Motion is moot and should therefore be denied. On February 19, 2015, Preferred filed, in the Judicial District of New Haven, a second motion for extension of time, up to and including March 25, 2015, to respond to Nucap’s outstanding Interrogatories and Requests for Production. Nucap filed an objection to the second motion for extension of time on February 24, 2015. On March 4, 2015, Judge Nazzaro issued an Order transferring this case from the Judicial District of New Haven to the Judicial District of Waterbury. The second motion for extension of time was not ruled upon before the transfer, or to date.

Since the filing of the second motion for extension of time, new counsel has appeared on behalf of Preferred and is in the process of getting familiar with the facts and issues in the case. Nevertheless, on the date requested for the second motion for extension of time, March 25, 2015,

Preferred served its responses and objections to the Interrogatories and Requests for Production, and produced documents to Nucap.

The Court should deny Plaintiffs' Motion for Order of Compliance as moot.

April 1, 2015

Dated

/s/ Benjamin J. Lehberger (Juris No. 425026)

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AND PREFERRED AUTOMOTIVE*

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PREFERRED TOOL AND DIE, INC., et al.,	)	
	)	
Defendants.	)	

**[PROPOSED] ORDER**

On this \_\_\_ day of \_\_\_\_\_, 2015, upon consideration of the Plaintiffs' Motion for Order of Compliance, the Preferred Opposition, and any argument of counsel, it is hereby ORDERED that the Motion is DENIED.

BY THE COURT:

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 1, 2015, a copy of the foregoing was served via electronic mail on the following counsel of record:

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04/01/2015  
Date

/s/ Jessica L. White  
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