

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

JIM SISNEY, an individual,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 09-CV-253-TCK-PJC
)	
INDEPENDENT SCHOOL DISTRICT)	
NO. 3 OF TULSA COUNTY, a Political)	
Subdivision; and the BROKEN ARROW)	
SCHOOL BOARD,)	
)	
Defendants.)	

**DEFENDANT’S MOTION TO COMPEL PLAINTIFF TO
PROVIDE WITNESS LIST AND PROPOSED EXHIBITS AND
TO COMPLY WITH WRITTEN DISCOVERY REQUESTS**

The Defendant, Independent School District No. 3 of Tulsa County, Oklahoma a/k/a Broken Arrow Public Schools (the “District”), respectfully moves the Court for an order compelling the Plaintiff, Jim Sisney, (1) to provide a witness list and proposed exhibits as required by the Scheduling Order entered in this matter on August 26, 2009 [Dkt. No. 14], and (2) to comply with the District’s written discovery requests.

In support of this motion, the District states:

1. The Scheduling Order entered in this matter required the parties to exchange witness lists and proposed exhibits by November 2, 2009. The District timely provided this information to Sisney, but Sisney has failed and refused to provide such information to the District.

2. On October 5, 2009, the District served its First Set of Interrogatories, Requests for Production and Requests for Admission on Sisney. On November 4, 2009,

Sisney served his Answers to Defendant's First Set of Interrogatories, Requests for Production and Requests for Admissions on the District.

3. Counsel for the District notified counsel for Sisney in writing that Sisney's responses to certain discovery request were not adequately responsive. Pursuant to LCvR 37.1, counsel for the District and counsel for Sisney met in the office of counsel for Sisney on Friday, November 13, 2009, in a good faith attempt to resolve this dispute. Following this meeting, counsel for Sisney agreed to supplement the responses to certain of the District's written discovery requests.

4. The District received Plaintiff's Supplemental Answers to Defendant's First Set of Interrogatories, Requests for Production and Requests for Admissions on November 20, 2009.

5. Sisney's supplemental answers to the following interrogatories are not adequately responsive and are evasive and/or incomplete: 1, 4, 9, 13, 14, 15, 17 and 18.

6. Sisney's supplemental answers to the following requests for production of documents are not adequately responsive and are evasive and/or incomplete: 24 and 25.

THEREFORE, the District requests that the Court order Sisney (1) to provide a witness list and proposed exhibits as required by the Scheduling Order entered in this matter on August 26, 2009 [Dkt. No. 14], and (2) to provide a full and complete answer to each of the above-listed interrogatories and requests for production of documents. The District further requests that the Court grant the District all other relief to which it is entitled under the Federal Rules of Civil Procedure.

Respectfully submitted,

s/ Kent B. Rainey
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CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of December, 2009, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

Gary L. Richardson
Charles L. Richardson
Denise P. Jones
6450 S. Lewis, Suite 300
Tulsa, OK 74136

Attorneys for the Plaintiff

s/ Kent B. Rainey
Kent B. Rainey