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November 13, 2009

**Via Facsimile and U.S. Mail**

Mr. Charles Richardson  
Richardson Richardson Boudreaux  
6450 S. Lewis, Suite 300  
Tulsa, OK 74136

Re: **Sisney v. Broken Arrow School District**  
Case No. 09-CV-253, N.D. Okla.

Dear Chuck:

This letter will serve to confirm our face-to-face meeting this morning regarding the plaintiff's response to the following discovery requests propounded by the Broken Arrow School District:

- i. Interrogatories: 1, 4, 5, 6, 7, 9, 10, 11, 13, 14, 15, 17, 18, 19;
- ii. Requests for Production: 2, 3, 4, 5, 6, 12, 13, 14, 15, 16, 17, 20, 22, 23, 24, 25, 27, 28, 29, 30;
- iii. Request for Admission: 1.

It will also confirm that we discussed the plaintiff's failure to provide a privilege log as to those materials claimed non-discoverable by the attorney-client privilege or work product doctrine and a verification for the plaintiff's interrogatory answers.

As I advised, the School District will give the plaintiff until the close of business on November 20, 2009 in which to supplement his discovery responses along the lines



Mr. Charles Richardson  
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we discussed today and to provide the privilege log and verification.<sup>1</sup> Should proper supplementation not occur, we will file an appropriate motion to compel with the court.

Finally, I would appreciate you asking Ms. James to timely notify me the next time she is going to miss an appointment I have scheduled with her at your office. While I appreciate you agreeing to see me in her stead, I waited for 30 minutes until you were able to confer with me – a delay that resulted in me not being able to make a luncheon presentation which had been previously scheduled.

Sincerely,



Kent B. Rainey  
for **Rosenstein, Fist & Ringold**

KBR

cc: Dr. Gary Gerber, Superintendent  
Jerry Richardson, Esq.

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<sup>1</sup> The exception is the plaintiff's response to the School District's Request for Production No. 29, in which the plaintiff will be permitted until December 1, 2009 in which to supplement.

**ROSENSTEIN, FIST & RINGOLD**

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November 10, 2009

**Via Facsimile and U.S. Mail**

**Mr. David R. Keesling  
Richardson Richardson Boudreaux  
6450 S. Lewis, Suite 300  
Tulsa, OK 74136**

**Re: Sisney v. Broken Arrow School District  
Case No. 09-CV-253, N.D. Okla.**

Dear Mr. Keesling:

This letter is in furtherance of my letter of November 6, 2009. Since I forwarded my letter, I have not heard from you either by e-mail, letter or phone call. As a result, this morning I attempted, to no avail, to speak with either you or Chuck Richardson to discuss the plaintiff's responses to the School District's First Set of Discovery, particularly:

- i. Interrogatories: 1, 4, 5, 6, 7, 9, 10, 11, 13, 14, 15, 17, 18, 19;
- ii. Requests for Production: 2, 3, 4, 5, 6, 12, 13, 14, 15, 16, 17, 20, 22, 23, 24, 25, 27, 28, 29, 30;
- iii. Request for Admission: 1
- iv. Lack of Privilege Log provided by Plaintiff;
- v. Lack of Verification from Plaintiff as to Interrogatory Answers.

Mr. David R. Keesling  
November 10, 2009  
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As I explained in my November 6, 2009 letter, we believe the vast majority of the plaintiff's discovery responses are deficient of that required by the Federal Rules of Civil Procedure.

Please contact me regarding this matter today as the School District will shortly be filing an appropriate motion to compel proper and complete responses. As you are aware, under the court's Scheduling Order discovery is to be completed by December 31, 2009. Therefore, time is of the essence in addressing this issue, especially due to the upcoming Thanksgiving and Christmas holidays.

Sincerely,



Kent B. Rainey  
for **Rosenstein, Fist & Ringold**

KBR:me

**ROSENSTEIN, FIST & RINGOLD**

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November 6, 2009

**Via Facsimile and U.S. Mail**

Mr. David R. Keesling  
Richardson Richardson Boudreaux  
6450 S. Lewis, Suite 300  
Tulsa, OK 74136

Re: **Sisney v. Broken Arrow School District**  
Case No. 09-CV-253, N.D. Okla.

Dear Mr. Keesling:

I am in receipt of the plaintiff's Answers to the Broken Arrow School District's First Set of Interrogatories, Requests for Production and Requests for Admission. Please be advised that I find the vast majority of the plaintiff's discovery responses to be deficient of that required by the Federal Rules of Civil Procedure. I contacted your office yesterday by phone to speak with you and schedule a telephone conference to discuss this matter with you. Since then, I have not heard from you. Please be advised that I am available to discuss this matter on the following dates:

- Monday, Nov. 9: 9:00 a.m. – 2:00 p.m.
- Tuesday, Nov. 10: 9:00 a.m. – 1:00 p.m.
- Wednesday, Nov. 11: 9:00 a.m. – 11:30 a.m.  
2:00 p.m. – 5:00 p.m.

Please let me know which of these times you are available. For your reference, I want to discuss the following discovery responses provided by the plaintiff:

- i. Interrogatories: 1, 4, 5, 6, 7, 9, 10, 11, 13, 14, 15,  
17, 18, 19;

Mr. David R. Keesling  
November 6, 2009  
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- ii. Requests for Production: 2, 3, 4, 5, 6, 12, 13, 14,  
15, 16, 17, 20, 22, 23, 24,  
25, 27, 28, 29, 30;
- iii. Request for Admission: 1
- iv. Lack of Privilege Log provided by Plaintiff;
- v. Lack of Verification from Plaintiff as to Interrogatory  
Answers.

I look forward to hearing from you as soon as possible.

Sincerely,



Kent B. Rainey  
for **Rosenstein, Fist & Ringold**

KBR:me