

IN THE CIRCUIT COURT OF COLBERT COUNTY, ALABAMA

JOHN R. BENN,

\*

Plaintiff,

\*

v.

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Case Number: CV-2002-184

ROBERT NOVAK,

\*

Defendant.

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FOURTH MOTION TO COMPEL

Comes now the Plaintiff John R. Benn and moves pursuant to Rule 37(a) for a Court Order compelling Defendant Robert Novak to respond to Plaintiff's discovery requests. In support of said motion Plaintiff would show as follows:

1. That on or about November 5, 2002, Plaintiff submitted Third Interrogatories to Defendant. A copy of Plaintiff's discovery request is attached hereto.
2. That as of this date, Defendant has not responded to said Interrogatories.
3. That the discovery sought by Plaintiff is relevant to this litigation and permissible under the Alabama Rules of Civil Procedure.

Wherefore, Plaintiff prays that this Court will enter an appropriate Order compelling Defendant Novak to fully respond to the outstanding discovery requests within the next ten (10) days. Further, Plaintiff requests that the Court consider other sanctions allowable under ARCP Rule 37.

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John R. Benn  
*Pro se*  
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Sheffield, AL 35660  
256-386-7685

BEN009  
ASB-0868-B23J

CERTIFICATE OF SERVICE

I, the undersigned attorney, do hereby certify that, prior to or immediately after filing the foregoing with the Court, I mailed U.S. Mail, postage prepaid, or delivered by hand a copy to:

Mr. Robert Novak  
1550 Sunrise Highway  
Copaigue, New York 11726

Date: \_\_\_\_\_

\_\_\_\_\_  
John R. Benn