

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

MEMBER WILLIAMS, et al.,)	Case No. 2016 09 3928
)	
Plaintiffs,)	Judge Patricia A. Cosgrove
)	
v.)	
)	
KISLING, NESTICO & REDICK, LLC, et al.,)	<u>MOTION FOR PROTECTIVE ORDER TO LIMIT OR OTHERWISE BIFURCATE DISCOVERY, OR IN THE ALTERNATIVE, SHIFT COSTS</u>
)	
Defendants.)	
)	

Pursuant to Ohio R. Civ. P. 26(C), Defendants Kisling, Nestico & Redick, LLC, Alberto R. Nestico, and Robert Redick (“Defendants”) respectfully move this Court for a Protective Order bifurcating certification and merit-based discovery in this class action litigation. Alternatively, pursuant to Ohio R. Civ. P. 26(B)(4), Defendants respectively request that the Court issue an Order shifting costs and requiring Plaintiffs to bear the enormous expense associated with their overly broad and unduly burdensome discovery of Defendants’ electronically stored information. For the sake of economy and to avoid duplication, Defendants incorporate and adopt, as if fully rewritten herein, the arguments and authority set forth in Defendants’ Joint Brief in Opposition to Plaintiffs’ Motion to Compel and Motion for Protective Order to Limit or Otherwise Bifurcate Discovery, or in the Alternative, Motion to Shift Costs.

Respectfully submitted,

/s/ James M. Popson

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CERTIFICATE OF SERVICE

Pursuant to Civ.R. 5(B)(2)(f), the undersigned certifies that the foregoing Motion was filed electronically with the Court on this 30th day of March, 2018. The parties, through counsel, may access this document through the Court's electronic docket system.

/s/ James M. Popson
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