

**IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO**

MEMBER WILLIAMS, <i>et al.</i> , Plaintiffs, vs. KISLING, NESTICO & REDICK, LLC, <i>et al.</i> , Defendants.	Case No. 2016-CV-09-3928 Judge James Brogan Reply in Support of Plaintiffs' Motion to Compel Discovery from Defendant Minas Floros
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In opposing Plaintiffs' motion to compel, Defendant Floros has simply repeated his baseless excuses for his failure to respond to Plaintiffs' document requests and interrogatories:

First, with regard to Floros's failure to produce a single responsive document apart from some medical records for the named plaintiffs, Floros claims to be concerned with the risk of "divulging confidential, trade secrets, or incorrect information" about his employer ASC. Opp. at 4. He also suggests that he might not have the "legal right" to disclose such documents despite "having potential access to them." *Id.* The Court should not permit Floros to rely on such innuendo in responding to Plaintiffs' requests. Floros should be ordered to produce all responsive documents to which he has access and if any such documents are legitimately privileged, Floros must identify them as Civil Rule 26(B)(6)(a) requires so that the privilege claim may be assessed and challenged if necessary.

Second, the Court should not permit Floros to take cover under ASC or KNR in refusing to respond to the pertinent interrogatories identified in Plaintiffs' motion. Floros's claims that he is "not authorized to respond on behalf of" ASC or KNR, or that he "does not know how [KNR or ASC] would respond" to an interrogatory (Opp. at 6–7) do nothing to relieve him of the obligation to answer the interrogatories based on his own knowledge and make a reasonable inquiry to do so.

As with Defendant Ghoumbrial, the Court should overrule Floros's baseless boilerplate objections and grant Plaintiffs' motion to compel.

Respectfully submitted,

/s/ Peter Pattakos

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Certificate of Service

The foregoing document was filed on January 14, 2019, using the Court's electronic-filing system, which will serve copies on all necessary parties.

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