COURT OF CHANCERY OF THE STATE OF DELAWARE

SAM GLASSCOCK III VICE CHANCELLOR COURT OF CHANCERY COURTHOUSE 34 THE CIRCLE GEORGETOWN, DELAWARE 19947

November 27, 2012

Kashif Chowdhry Parkowski, Guerke & Swayze, P.A. 116 West Water Street Dover, DE 19903 David Dolan Sussex Correctional Institution #618418 MW P.O. Box 500 Georgetown, DE 19947

Re: Allan Wagamon v. David B. Dolan and David B. Dolan v. Allan Wagamon, et al. Civil Action No. 5594-VCG (Consolidated)

Dear Counsel and Mr. Dolan:

Before me is the Defendants' Motion for a Protective Order. According to the Scheduling Order of July 5, 2012, all discovery was to be completed by September 3, 2012. The Plaintiff, however, filed Interrogatories and a Request for Production on August 31, 2012 and a Request for Admissions on September 6, 2012. Obviously, those requests were not timely under the terms of the discovery order. The Defendants contend, and the Plaintiff concedes, that many of these requests are duplicative of previous, timely filed requests. The Plaintiff asks to be

relieved from the strictures of the Order, contending that timely discovery requests

remain incomplete.

The Defendants' Motion for Protective Order is GRANTED. The discovery

requests filed on August 31 and September 6, 2012 are stricken. The Plaintiff's

contention that previous, timely discovery requests were not answered rings

hollow, since no motion to compel was ever filed with respect to the Defendants'

answers to discovery. Nonetheless, the Defendants have a continuing obligation to

supplement their answers to discovery as appropriate before trial. To the extent

that the foregoing requires an order to take effect, IT IS SO ORDERED.

Sincerely,

/s/ Sam Glasscock III

Sam Glasscock III

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