

**IN THE SUPERIOR COURT OF THE STATE OF DELAWARE**

ASHLEY ADAMS, )  
 )  
 Plaintiff, ) C.A. No. N19M-11-022  
 )  
 v. )  
 )  
 SUEZ WATER MANAGEMENT & )  
 SERVICES, INC., ET AL., )  
 )  
 Defendant. )

**ORDER**

This Order memorializes the Court’s ruling at the hearing on February 7, 2020 on Movant’s Motion to Quash the Third Party Subpoena and for a Protective Order.

A subpoena was served in Delaware upon Eric M. Doroshow, Esquire, in an out-of-state action, a New Jersey state court action. The underlying out-of-state action is *Adams v. SUEZ Water Management Services, Inc., et al.*, Superior Court of New Jersey, Law Division, Bergen County, Docket No. BER-L-2017-17 (the “New Jersey Action”).

The New Jersey Action involves issues regarding the advice provided by Attorney Doroshow during his representation of Plaintiff Ashley Adams in a bankruptcy action/proceeding.

Plaintiff Ashley Adams filed a Motion to Quash the Subpoena issued to Eric

M. Doroshow, Esquire in the New Jersey Action. On December 6, 2019, the New Jersey Court, following a hearing, denied Plaintiff's motion to quash the subpoena, and granted Plaintiff's motion for a Protective Order limiting the scope of the subpoena as set forth in that Order. The December 6, 2019 Order in the New Jersey Action is attached hereto as Exhibit A.

Defendant is hereby seeking to enforce that out-of-state subpoena issued in the New Jersey Action in Delaware pursuant to the Delaware Uniform Interstate Deposition and Discovery Act, 10 *Del. C.* § 4311, against the third party, Mr. Doroshow. Mr. Doroshow has filed a motion in this court seeking to quash the subpoena and for a protective order.


Delaware's role in this action is as a conduit. Defendant seeks to obtain discovery from a third-party in Delaware, Mr. Doroshow, for use in the New Jersey Action. The scope of the permissible discovery of the subpoena issued to Mr. Doroshow has already been decided by the New Jersey Court in the New Jersey Action and will be enforced in Delaware in accordance with those terms. See, *Greenspon v. Prommis Holdings, LLC, et al.*, 2017 WL 4856850 (Del.Super. 2017)(the nature and extent of the scope of the discovery in an out-of-state action from a third party located in Delaware is governed by the scope of discovery permitted in that underlying out-of-state action for which the discovery is being sought).

Accordingly, for the reasons set forth on the record on February 7, 2020, and for the reasons set forth herein:

1. Movant's Motion to Quash Subpoena is DENIED. This Court will enforce the subpoena served upon Mr. Doroshov in the New Jersey Action.
2. Movant's Motion for a Protective Order is GRANTED on the same terms as set forth in the December 6, 2019 Order in the New Jersey Action which is attached hereto as Exhibit A and incorporated by reference herein.

**IT IS SO ORDERED.**

Dated: March 4, 2020

  
\_\_\_\_\_  
Commissioner Lynne M. Parker

cc: Original to Prothonotary  
Keri L. Morris-Johnston, Esquire  
Elaina L. Holmes, Esquire

# EXHIBIT A

Ronald J. Wronko, Esq.  
Attorney ID 019061997  
RONALD J. WRONKO, LLC  
134 Columbia Turnpike  
Florham Park, New Jersey 07932  
(973) 360-1001  
Attorneys for plaintiff  
Ashley Adams

FILED  
DEC 06 2019  
WALTER E. GRONQ, J.S.C.

ASHLEY ADAMS,  
  
Plaintiff,  
  
v.  
  
SUEZ WATER MANAGEMENT &  
SERVICES, INC., GARY PRETTYMAN,  
JOHN DOES, 1-10, and ABC CORP. 1-10,  
said names being fictitious,  
  
Defendants.

NEW JERSEY SUPERIOR COURT  
BERGEN COUNTY: LAW DIVISION  
DOCKET NO. BER-L-2017-17

CIVIL ACTION

ORDER QUASHING SUBPOENA ISSUED  
BY DEFENDANTS TO ERIC DOROSHOW,  
ESQ.

*PROTECTIVE ORDER*

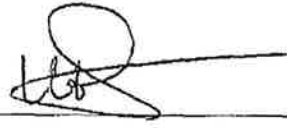
THIS MATTER having been opened to the Court on Friday, December 6, 2019, on a Notice of Motion to Quash Subpoena Issued by defendants to Eric Doroshow, Esq. by RONALD J. WRONKO LLC, attorneys for plaintiff; and defendants appearing through their counsel; and the Court having read and considered the certifications and other papers filed herein, if any, and having heard and considered the arguments of the parties and for good cause shown;

On this 6<sup>th</sup> day of December, 2019

IT IS HEREBY ORDERED THAT:

1. Plaintiff's Motion to Quash the ~~Subpoena~~ <sup>Denial</sup> is hereby granted. The Subpoena directed to Eric Doroshow, Esq. is hereby quashed.
2. Any documents produced before the return date of said subpoena are hereby barred from use in the litigation and shall be destroyed.

3. ~~Alternatively,~~ The Court grants plaintiff's motion for Protective Order as follows:
- a. The Subpoena shall be modified to ~~produce~~<sup>request</sup> only ~~for~~<sup>of</sup> documents containing any communication specifically regarding the inclusion of this LAD action in the bankruptcy petition.
  - b. Defendant Suez shall pay Eric Doroshov, Esq.'s attorneys' fees and costs for the document production and appearance at deposition.
4. This Order is hereby served via e-courts on all parties.



Hon. WALTER F. SKROD, J.S.C.

X [Opposed]  
 [Unopposed]

*Doroshov / para legal testimony concerning when, how, and from whom he/she became aware of the employment case, and for the production/discovery*

*See RIDER attached*

Adams vs Suez L-2017-17

Rider to Order of December 6, 2019

Defendant does not have a license to explore everything related to the bankruptcy petition, or communications related to it, during the deposition of Doroshow and/or the unnamed paralegal.

Defendant admits that the requested Doroshow deposition concerns plaintiff's credibility, not the central/substantive issues in the case. Defendant already has a Doroshow sworn statement submitted on his application to be relieved, that he was only recently told about the employment case. Defendant already possesses the necessary facts to argue about plaintiff's credibility, or the lack thereof.

The deposition of Doroshow/paralegal is thereby limited to the issue(s) and documents identified in the order.

This decision is subject to the application to quash filed in Delaware.