

IN THE COMMON PLEAS COURT OF FRANKLIN COUNTY, OHIO
CIVIL DIVISION

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| LACRESHA HINTON | : | |
| | : | |
| Plaintiff | : | JUDGE COCROFT |
| | : | |
| vs. | : | CASE NO. 13-CV-013010 |
| | : | |
| DOWNTOWN GYNECOLOGISTS, INC., et al. | : | |
| | : | |
| Defendant. | : | |

MEMORANDUM CONTRA PLAINTIFF’S MOTION TO COMPEL

Now come the Defendants, Downtown Gynecologists, Inc. and Harley Blank, by and through counsel, and hereby responds to Plaintiff’s Motion to Compel.

Plaintiff’s Motion accurately details the circumstances that Defendant’s counsel is dealing with – the sudden and unexpected death of Defendant’s healthy wife, which has devastated the Defendant and prohibited him from focusing on this case. While Plaintiff’s counsel is correct in that initial extensions an accommodations have been granted, some situations are so devastating that an objective time limit cannot be placed on recovery. Defendant’s counsel does not know whether or not a month or six (6) weeks is sufficient as a general rule – what counsel does know, is that there are no general rules and given the circumstances has asked Plaintiff, through her counsel, to be accommodating with a firm belief that neither Defendant, Defendant’s counsel nor the Court would prejudice the Plaintiff or her rights by extending the Defendant courtesies under these circumstances.

Defendant will rely on the Court to use its judicial discretion in determining what is reasonable in allowing Defendant time to recover from the shock of his wife’s death, complete his mourning and direct his attention to this litigation.

Respectfully submitted,

WOLINETZ LAW OFFICES, LLC

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing was served via e-Service through the e-Filing System of the Franklin County Clerk of Courts this 16th day of October, 2014, upon the following:

Philip W. Gerth, Esq.
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