

CHERYL HEWITT,

Plaintiff,

Case No.: 03 1618 NI

Honorable Diane Druzinski

SUBURBAN MOBILITY AUTHORITY FOR
REGIONAL TRANSPORTATION a/k/a SMART,
a Michigan corporation,

Defendant.

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DEFENDANT SMART'S MOTION TO
COMPEL DISCOVERY

NOW COMES the Defendant, Suburban Mobility Authority for Regional Transportation a/k/a SMART, a Michigan Corporation, by and through its attorneys, ZAUSMER, KAUFMAN, AUGUST & CALDWELL, P.C., and in support of its Motion to Compel Discovery states as follows:

1. On or about July 18, 2003, Defendant requested, via Michigan Legal Copy, L.L.C., authorization to copy the records of St. John's Macomb Hospital, Crestview Dental, Dr. Morrison and Dr. Rathur with respect to Plaintiff Cheryl Hewitt.
2. To date, Plaintiff has failed to provide authorizations for these records.
3. Defendant's ability to litigate this case will be greatly prejudiced if these authorizations are not provided.

WHEREFORE, Defendant prays that this Honorable Court enter an Order requiring Plaintiff to submit authorizations to Michigan Legal Copy, L.L.C., for the records of St. John Macomb Hospital, Crestview Dental, Dr. Morrison and Dr. Rathur within a period of seven (7) days from the date of hearing on this Motion, for failure of which Plaintiffs' Complaint shall be dismissed, and that Defendant shall have costs and fees necessary for the presentment of this Motion.

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VM Jensen



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