Clerk of the Superior Court
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05/30/2024 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2023-009417 05/29/2024

HONORABLE JAY RYAN ADLEMAN

CLERK OF THE COURT
L. Gilbert
Deputy

STEPHEN RICHER

DANIEL D MAYNARD

v.

KARI LAKE, et al.

JENNIFER JAYNE WRIGHT

WILLIAM MORRIS FISCHBACH III
TIMOTHY A LASOTA
DENNIS I WILENCHIK
JUDGE ADLEMAN

MINUTE ENTRY

The Court is in receipt of several discovery-related filings involving the parties, including but not limited to **(1)** Rule 26(d) Dispute Between Defendant Jeffrey Halperin and Plaintiff Stephen Richer; **(2)** Joint Rule 26(d) Statement of Discovery Dispute re: Defendant Lake's Objections to RFPs; and **(3)** Joint Rule 26(d) Statement of Discovery Dispute re: Defendant Lake's Possession, Custody, and Control of Discovery Documents.[1]

* * *

[1] The parties have additional disputes identified within **(1)** Plaintiff's Motion for Additional Requests for Production; and **(2)** Defendant Halperin's Motion to Strike Prohibited or Unauthorized Filings By Plaintiff Stephen Richer. The Court will address those motions after they are fully briefed by the parties.

Rule 26(d) Dispute Between Defendant Halperin and Plaintiff Richer

The parties essentially dispute whether Plaintiff Richer has been sufficiently responsive to Defendants' request(s) for discovery. It is worth noting that – to the extent possible – Defendants require certain discovery in advance of Plaintiff's deposition. That deposition is presently scheduled for June 21, 2024.

Although the Court is mindful of the fact that document-related discovery is not scheduled to be completed prior to July 12, 2024, the Court finds it proper for Plaintiff – to the extent it may be possible – to disclose evidence in his possession *prior* to his deposition in this matter. This includes all of the following **(1)** a computation of damages required pursuant to Rule 26.1(a)(2), Arizona Rules of Civil Procedure; **(2)** pertinent medical records from his general practitioner; and **(3)** any personal security expenses and other related expenditures.[2]

Given the need for certain discovery to be produced in advance of Plaintiff's deposition, the Court will direct Plaintiff to make reasonable efforts to disclose the aforementioned records no later than June 17, 2024.

Accordingly,

IT IS ORDERED directing Plaintiff to make reasonable efforts to disclose the aforementioned records no later than **June 17, 2024.**

* * *

Joint Rule 26(d) Statement of Discovery Dispute re: Defendant Lake's Objections to RFPs; and
Joint Rule 26(d) Statement of Discovery Dispute re: Defendant Lake's Possession, Custody, and Control of Discovery Documents

These two disputes pertain to Plaintiff's request(s) for any documents that are purportedly in the possession of Defendants and that might be arguably discoverable with respect to the remaining issue of damages.

[2] Plaintiff has separately indicated that he expects to produce certain electronically-stored information (ESI) no later than June 12, 2024. ***See*** Rule 26.1(c), Arizona Rules of Civil Procedure.

On this limited record, the Court lacks sufficient information to discern the full extent of these disputes. In doing so, the Court requires **(1)** Plaintiff's RFPs that were served on Defendants; **(2)** any of Defendants' responses or objections to the requested discovery; and **(3)** additional briefing with respect to the proportionality of those discovery requests under Rule 26(b)(1), Arizona Rules of Civil Procedure.

Accordingly,

IT IS ORDERED directing Plaintiff to file any supplemental motion(s) regarding each of these two (2) discovery disputes no later than **June 7, 2024.** Defendants shall file any supplemental response(s) no later than **June 17, 2024.** Plaintiff may file any supplemental reply brief(s) no later than **June 27, 2024.**