

Untitled

by Craig Severance

General metrics

7,110

characters

1,131

words

58

sentences

4 min 31 secreading
time**8 min 42 sec**speaking
time

Score

**85**

Writing Issues

43

Issues left



Critical

43Advanced

This text scores better than 85%
of all texts checked by Grammarly

Unique Words

Measures vocabulary diversity by calculating the percentage of words used only once in your document

34%unique words

Rare Words

Measures depth of vocabulary by identifying words that are not among the 5,000 most common English words.

36%rare words

Word Length

Measures average word length

4.9characters per word

Sentence Length

Measures average sentence length

19.5

words per sentence

Untitled

To: Thrasher Buschmann & Voelkel P.C, (TBV) Jeffrey Bellamy, Stephan Donham

From: Craig and Cathy Severance

Re. Craig and Cathy Severance, et al. v. The Pleasant View Homeowners

Association Inc., et al. Cause Number: 29D03-1702-PL-001111

Dear Pleasant View Homeowners Association Inc., Legal Counsel

This letter is sent under Indiana Trial Rules 26, 33, 34, 37 propounding discovery request from nonparty Your HOA Community Management Inc. with the above-referenced matter:

On August 27, 2023, the Plaintiffs (Craig and Cathy Severance) submitted via email the First Set of Interrogatories Propounded to Pleasant View Homeowners Association Inc. Below is a copy of that letter and attached are copies of those files.

Trial Rule 26(A.1) states:

"In addition to service under Rule 5(B) or a .pdf format electronic copy, a party propounding or responding to interrogatories, requests for production, or requests for admission shall comply with (a) or (b) of this subsection. (a) The party shall serve the discovery request or response in an electronic format (either on a disk or as an electronic document attachment) in any commercially available word-processing software system. If transmitted on disk, each disk shall be labeled, identifying the caption of the case, the document, and the word processing version in which it is being submitted. If more than one disk is used for the same document, each disk shall be labeled and also shall be sequentially numbered. If transmitted by electronic mail, the document must

be accompanied by an electronic memorandum providing the forgoing identifying information.”

TR 26(b) states:

“The party shall serve the opposing party with a verified statement that the attorney or party appearing pro se lacks the equipment and is unable to transmit the discovery as required by this rule.”

TR26(F) states:

Informal Resolution of Discovery Disputes. Before any party files any motion or request to compel discovery pursuant to Rule 37, any motion for protection from discovery pursuant to Rule 26(C), or any other discovery motion that seeks to enforce, modify, or limit discovery, that party shall:(1) Make a reasonable effort to reach agreement with the opposing party concerning the matter which is the subject of the motion or request; and(2) Include in the motion or request a statement showing that the attorney making the motion or request has made a reasonable effort to reach agreement with the opposing attorney(s) concerning the matter(s) set forth in the motion or request. This statement shall recite, in addition, the date, time, and place of this effort to reach an agreement, whether in person or by phone, and the names of all parties and attorneys participating therein. If an attorney for any party advises the court in writing that an opposing attorney has refused or delayed meeting and discussing the issues covered in this subsection (F), the court may take such action as is appropriate.

The court may deny a discovery motion filed by a party who has failed to comply with the requirements of this subsection.”

In all cases, these requirements have been fulfilled.

It is no secret that your firm's tactics to ignore and deceive the Plaintiffs in all matters relating to this lawsuit are well documented. Trial Rules demand that

we make “reasonable” attempts to receive discovery by all other means prior to filing motions to compel with the court.

You received these documents on August 27, 2023, which have been read by both of you based on standard email tracking software available to anyone.

You received an email from the Plaintiffs on September 30, 2023, reminding you of your obligation to participate in discovery which again remains unanswered.

The Plaintiffs have been more than “reasonable” in our attempts to get your firm to comply with the trial rules of discovery. Trial Rule 37 states that a court can order a party and or their attorney to pay the other parties reasonable expenses and attorney fees if they fail; to participate in good faith during the discovery process. Since Pro se litigants are eligible for “fees” and expenses are not substantive enough to motivate your firm to comply with trial rules, the Plaintiff will once again, request the lawsuit to be dismissed with prejudice for failure to comply.

Because the court is fully aware of your firm's subversive tactics, and that the court has the authority to sanction you for continued violations of the code of conduct and rules of fairness, I will also request your firm be sanctioned under TR 37.

Your firm has failed to participate in discovery at the most basic levels and your firm has been admonished by the court on multiple occasions for your continued tactics and warned about these behaviors. It can no longer be tolerated to allow your firm to continue to violate the rules that apply to all parties. We demand that you have the responses to our interrogatories no later than 5 p.m. on October 10, 2023.

The attached files are included for your review.

First Set of Interrogatories Propounded to Pleasant View Homeowners Association Inc. (“The Interrogatory Request”).

Enclosed are editable copies of the Interrogatory Request.

Plaintiff requests an inspection of the individual items 30 days from the date received to include the following items listed below.

1. The First Set of Interrogatories Propounded to the Defendants (“the interrogatory Requests”)

Please furnish a complete and unevasive response to the Interrogatory Request or participate in a recorded online T.R. 26(F) meeting.

If the documents are voluminous and the service of a complete set of copies is burdensome, the receiving party shall notify all parties within fifteen (15) days of receiving the documents that the documents are available for inspection at the location of their production by the non-party, or at another location agreed to by the parties. The parties shall agree to arrangements for copying, and any party desiring copies shall bear the cost of reproducing them.

The Plaintiffs will make themselves available to receive by any available means on the following dates and times.

1. September 29th, 2023 at 1 PM EST
2. October 2nd, 2023 at 1 PM EST
3. October 3rd, 2023 at 1 PM EST

Please confirm in writing which date/time you prefer and the best number to reach you at.

If any of the below-listed dates and times are not acceptable, then please provide 3 alternate dates within the same week of the dates offered. The online T.R. 26(F) session will be recorded. The Plaintiff would like to receive these

documents via digital attachments sent to Craig.indylimotransport@gmail.com and Cathy.indylimotransport@gmail.com

CERTIFICATE OF SERVICE

I certify that on August 29, 2023, a copy of the foregoing document was served on all ECF-registered counsel/parties by operation of the Court's electronic filing system.

Pleasant View Homeowners Association Inc.

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Greenfield, IN 46140

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