

**From:** August McCarthy amccarthy@themccarthyfirm.com   
**Subject:** Fwd: Wat Lao  
**Date:** May 20, 2020 at 3:33 PM  
**To:** Ilene Tognini itognini@equeslaw.us



See below.

August McCarthy  
Attorney at Law  
70 Main Street, Suite 23  
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540-222-6216  
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----- Forwarded Message -----  
Subject: Wat Lao  
Date: Wed, 20 May 2020 15:30:25 -0400  
From: August McCarthy <amccarthy@themccarthyfirm.com>  
To: Thomas Urban <urban@fhhlaw.com>

Mr. Urban,

I wanted to reach out to you about several items, in the interest of trying to reach an agreement on how to handle them.

First, the Virginia Supreme Court order from May 6, 2020 tolled discovery deadlines in civil cases until Monday, May 18, 2020. That means that all of Wat Lao's discovery responses will be due 21 days from May 18. Would you please confirm that we are in agreement on this issue. I've attached a copy of the May 6 order for your reference.

Second, your requests for admission have problems that prevent us from properly responding to them. I've attached a copy of the requests for your reference. I've also attached a Motion to Strike that I am filing today or tomorrow. It should be obvious what the problems are.

Notwithstanding the Motion to Strike, the best practice in my view would be for you and me to agree that you will withdraw the previous requests and serve a new set. That would obviate a hearing on the motion, and help keep our clients' costs down.

Third, your discovery requests seek information that far exceeds the scope of your dispositive pleadings. We are going to spend a very significant amount of time preparing our responses. But if you are successful with your demurrer or plea in bar, most of the discovery requests will be moot, and we will have prepared our responses for nothing. So I propose that we agree to limit our responses to your interrogatories and document requests that deal specifically with your dispositive pleadings. If your motions are not successful, and you file an answer to the complaint, then we will prepare our remaining responses. If we can agree on this, I will not need to file a motion for a discovery protective order, and our clients can save that expense.

Let me know what you think.

I will be available by phone this afternoon if you would like to talk.

Take care,

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August McCarthy  
Attorney at Law

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Motion to Strike  
RFA, as filed.pdf



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