

ORIGINAL

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IN THE TENNESSEE COURT OF THE JUDICIARY

2009 NOV 24 PM 4: 16

**IN RE: THE HONORABLE GLORIA DUMAS, APPELLATE COURT CLERK
JUDGE, GENERAL SESSIONS COURT NASHVILLE
METROPOLITAN NASHVILLE and
DAVIDSON COUNTY, TENNESSEE, Division IV**

Docket No. M2009-01938-CJ-CJ-CJ

Complainant: JOSEPH S. DANIEL, in the exercise of his duties as Disciplinary Counsel, and at the direction of an Investigative Panel of the Tennessee Court of the Judiciary.

File No. 08-3487

MOTION TO STRIKE DISCOVERY REQUESTS

Judge Dumas moves to strike the discovery requests, pursuant to Tenn.R.Civ.Pro. 26.02 and 26.03, relieving her of the obligation to answer the requests because they are unduly burdensome, taking into account the needs of the case.

Rule 26.02 Tenn. R. Civ. P. provides that the Court may limit the extent of discovery if “the discovery is unduly burdensome or expensive, taking into account the needs of the case, the amount in controversy, limitations on the parties’ resources, and the importance of the issues at stake in the controversy.”

A cursory examination of the discovery requests filed by Disciplinary Counsel will reveal how burdensome it will be for Judge Dumas to comply with the requests. The requests cover the period from January 1, 2007 to the present and seek such information as to where she has parked her vehicle each day while attending Court (Interrogatory No.

14), any documents identifying her as a General Sessions Judge (Requests for Production No. 1) and the number of days since January 1, 2007 that she has not opened court at the time designated on any warrant, citation or summons (Interrogatory No. 11). It would probably take weeks of extensive investigation by Judge Dumas and her staff to produce all the information requested by Disciplinary Counsel.

These requests are particularly unnecessary because Judge Dumas has candidly answered all inquiries sent by Disciplinary Counsel during the course of this investigation.

Respectfully submitted this 24th day of November, 2009.

Ben H. Cantrell

Ben H. Cantrell, BPR #3160
Tune, Entekin & White, P.C.
Suite 1700, Regions Center
315 Deaderick Street
Nashville, TN 37238-1700
(615) 244-2770

Thomas E. Hansom / by BHC

Thomas E. Hansom, BPR #008153
659 Freeman St.
Memphis, TN 38122

Attorneys for Gloria Dumas

CERTIFICATE OF SERVICE

This is to certify that I have served a true and correct copy of the foregoing document upon Joseph S. Daniel, Disciplinary Counsel, 503 North Maple Street, Murfreesboro, Tennessee 37130 by depositing same in the U.S. Mail along with sufficient postage thereon to insure delivery.

This 24th day of November, 2009.



Ben H. Cantrell