

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF KANSAS**

SAMUEL K. LIPARI,)	
)	
)	Plaintiff,
)	
Vs.)	Case No. 07-CV-02146-CM-DJW
)	
U.S. BANCORP, and)	
)	
U.S. BANK NATIONAL ASSOCIATION,)	
)	
)	
Defendants.)	

DEFENDANTS' MOTION TO COMPEL DISCOVERY RESPONSES

Defendants, U.S. Bancorp and U.S. Bank National Association, by and through their attorneys Shughart, Thomson & Kilroy, file this Motion to Compel Discovery Responses. In support of this Motion, defendants state as follows:

1. On March 6, 2008, defendants served their First Set of Interrogatories and First Set of Requests for Production on plaintiff.
2. On April 22, 2008, plaintiff served his responses to defendant's Interrogatories, but did not serve any responses or otherwise provide documents in response to defendant's Request for Production.
3. Plaintiff's responses to Interrogatory Nos. 1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17 and 21 are insufficient in that they fail to provide the information requested by each Interrogatory.
4. Plaintiff should be ordered to provide full responses and documents in response to defendants' Requests for Production. Likewise, because he did not offer any objections, plaintiff should be ordered to provide full and complete responses to Interrogatory Nos. 1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17 and 21.

5. Defendants certify that they have made a good faith attempt to resolve this discovery dispute. On April 23, 2008, defendants sent a letter to plaintiff outlining the deficiencies in his discovery responses. Plaintiff contacted defendants' attorney on May 6, 2008, indicating that he was attempting to comply with the Golden Rule letter. Defendants' attorney responded that same day and requested plaintiff's supplemental responses by May 12, 2008. But plaintiff has failed to serve any supplemental responses to defendants' interrogatories and hasnot served any responses to defendants' Requests for Production. On May 20, 2008, defendants' counsel attempted to contact plaintiff via telephone, but could not reach him.

6. Defendants are filing a supporting Memorandum and incorporate by reference all arguments made therein.

WHEREFORE, for the above-stated reason, defendants request the Court issue an Order compelling plaintiff to provide full and complete responses to the discovery requests listed above within seven days of the Court's order, and to grant defendants what other relief to which they are justly entitled.

Respectfully submitted,

/s/ Jay E. Heidrick

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ATTORNEYS FOR DEFENDANTS
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U.S. BANK NATIONAL ASSOCIATION

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing document was filed electronically with the above-captioned court, with notice of case activity to be generated and sent electronically by the Clerk of said court (with a copy to be e-mailed to any individuals who do not receive electronic notice from the Clerk) this 22nd day of May, 2008, to:

Mr. Samuel K. Lipari
297 NE Bayview
Lee's Summit, MO 64064

/s/ Jay E. Heidrick
Attorney for Defendants