

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ROBERT E. STUART AND LORI STUART, CIVIL DIVISION  
his wife,

G.D. No. 07-1065

Plaintiffs,

v.

THE SHERWIN-WILLIAMS COMPANY, a  
corporation,

Defendant,

**MOTION TO COMPEL PLAINTIFF'S COMPLIANCE WITH**  
**DISCOVERY**

Defendant The Sherwin-Williams Company ("Sherwin-Williams"), by its undersigned counsel, hereby moves the Court to enter an Order pursuant to Pennsylvania Rule of Civil Procedure 4019 compelling Plaintiffs, to answer Interrogatories and Request for Production of Documents propounded upon Plaintiffs, and in support of this Motion avers:

1. The instant civil action was commenced by the filing of a Complaint on July 6, 2007.
2. On December 5, 2007, Sherwin Williams served Interrogatories and a Request for Production of Documents upon counsel for Plaintiffs.
3. Pursuant to the Pennsylvania Rules of Civil Procedure, Plaintiffs' answers and objections, if any to said Interrogatories and Requests for Production of Documents were due on or before January 7, 2008.
4. On June 12, 2008 and July 17, 2008, counsel for Plaintiffs was notified by counsel for Sherwin-Williams by way of letter that Plaintiffs' responses to said Interrogatories and Request for Production of Documents were overdue and had not yet been received. (See