

SULLIVAN, SS

5th CIRCUIT
DISTRICT DIVISION
NEWPORT

WINSTON FROST

v.

TANYA HATHAWAY
(Docket #462-2016-LT-47)

MOTION TO QUASH DEPOSITION

NOW COMES Winston Frost, ("Plaintiff") by and through his attorneys, Cohen & Winters and files this Motion to Quash Deposition. In support of this Motion, the Plaintiff states as follows:

1. On June 29, 2016 Defendant served discovery requests for Frost v. Hathaway (462-2016-LT-47), which included the following: (1) Request for Admissions, (2) Request for Production of Documents, (3) First Set of Interrogatories, and (5) Notice of Deposition.
2. District Court Rule 1.9 C provides, "The petition of a party seeking to take a deposition within the State shall contain the name of the stenographer proposed to record the testimony."
3. Defendant's Notice of Deposition does not contain the name of a court approved stenographer proposed to record the deposition.
4. Plaintiff's counsel does not believe that Defendant intends to have a court approved stenographer make a record.
5. ~~Plaintiff requests that Defendant's request for a deposition be quashed as there is no stenographer retained to make a proper record.~~
6. Further, Counsel was contacted by an individual who stated he was an impartial observer of William Windsor a known associate of the Defendant.
7. The individual informed Counsel that the Eviction Notice in this case was published online at www.winstonfrost.com along with many other documents pertaining to Plaintiff and Defendant's divorce.
8. The impartial observer knew to contact Counsel by obtaining Counsel's name from the

documents posted online.

9. The impartial observer informed Counsel that Defendant and Mr. Windsor consider themselves sovereign citizens and Mr. Windsor maintains a web site known as Lawless America.
10. Further, he explained that Mr. Windsor was a known vexatious litigant who is permanently enjoined by the United States District Court For The Northern District of Georgia Atlanta Division from filing pleadings or discovery requests without first putting up a \$50,000 bond due to his vexatious and harassing use of the judicial system. See William Windsor v. James Hatten, et al. Case 1:11-cv-1923-TWT, document #33 and document #74.
11. According to the impartial observer Mr. Windsor is known to video record depositions and after editing the video and post the material on his website.
12. Plaintiff is concerned that Defendant intends to post the video of any deposition on her website www.winstonfrost.com.
13. Plaintiff request that if Defendant does obtain a stenographer and conducts a deposition that the court order that the deposition not be video recorded and further order that no part of the deposition be posted online.
14. The vast majority of Defendant's discovery requests are not relevant to the subject matter involved in the in the pending action.
15. Defendant's discovery requests are designed to cause unwarranted annoyance and to place an undue burden and expense on the Plaintiff.
16. Defendant's abusive discovery is resulting in legal expense disproportionate to the matters at issue.
17. The Defendant's Notice of Deposition includes seventy document production requests. These requests are separate from Defendant's Request for Production of Documents, which includes an additional seventy document production requests.
18. The sheer volume of one hundred and forty separate documents requested is indicative of a litigant creating an annoyance and creating an undue burden
19. Plaintiff requests that this court quash Defendant's seventy document production requests that are contained in her Notice of Deposition.
20. It is clear that her questions have more to do with her prior divorce than to do with the eviction.

21. For all of the above reasons, the court should quash Defendant's request for a deposition should be denied.

WHEREFORE, the Plaintiff requests that the Court:

- A. QUASH the Request for a Deposition; and
- B. AWARD Plaintiff his attorney's fees and costs; and
- C. GRANT such other relief as is just and necessary.

July 6, 2016
Date

Respectfully Submitted,
Winston Frost

By His Attorney

Anthony Santoro, Esq.

Anthony Santoro, Esq. #15167
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Concord, NH 03301
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of this document was sent to the following:

Tanya Hathaway PO Box 197 Springfield, NH 03284	Winston Frost 204 Holiday Drive Hamilton, MT 59840
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July 6, 2016
Date

Anthony Santoro, Esq.
Anthony Santoro, Esq.