

January 7, 2019 *Writ in the Nature of Disclosures and Discovery* and asserts that he is entitled to received Defendants' response prior to appearing for deposition.

9. On January 30, 2019, Defendants responded timely, as best they could, to Plaintiff's *Writ in the Nature of Disclosures and Discovery*. Exh D.

10. Consequently, there is no reason to postpone Plaintiff's deposition even if his timing position is correct as a matter of law.

11. ~~On January 31, 2019, Defendants' counsel sought Plaintiff's concurrence in the relief sought herein via a message left on Plaintiff's answering machine. To date, Plaintiff has not concurred~~

Respectfully submitted,

/s/John A. Schapka

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Dated: January 31, 2019