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32DR-19-187 C16D01 : 4 Pages

COURT USE ONLY PURSUANT TO ARK. SUP. CT. ADMIN. ORDER NO. 2(B)

IN THE CIRCUIT COURT OF INDEPENDENCE COUNTY, ARKANSAS

LUNDEN ROBERTS

PLAINTIFF

vs.

HUNTER BIDEN

DEFENDANT

Case No: 32DR-19-187

MOTION FOR CONTEMPT, TO COMPEL DISCOVERY, AND TO MODIFY THE SCHEDULING ORDER

COMES NOW the plaintiff, by and through her attorneys, LANCASTER & LANCASTER LAW FIRM, PLLC, and for her motions state:

- 1. That this court entered a protective order on the defendant's motion.
- 2. That the protective order was intended so that the defendant would fully answer discovery instead of constantly objecting and asserting the need for protection.
- 3. That this court ordered that, upon entering the defendant's request for a protective order, again, that there was an expectation of "great compliance with discovery." In fact, the court ordered that the defendant provide specific information related to discovery at the last hearing in this matter.
- 4. That a hearing was held nearly two months ago, on February 22, 2023, in which the court entered a protective order from the bench and ordered that the defendant provide specific discovery which he had previously failed to do.
- 5. That, in those two months, the defendant has provided no additional discovery—not so much as one single item or word—and has failed to supplement his answers at the court's directive.

- 6. That there is no valid excuse or justification for the defendant's failure to provide the required disclosures as the court has granted every single protective order the defendant has asked for since the inception of this case.
 - 7. That the defendant is playing games with this court.
- 8. That the defendant's actions are a willful and flagrant violation of this court's previous order entered on the defendant's motion. This court should incarcerate the defendant in the Cleburne County Detention Center until he complies with this court's orders and answers discovery. In the alternative, this court should sanction the defendant as appropriate and just.
- 9. That the defendant's actions are a willful and flagrant violation of this court's previous order entered on the defendant's motion. This court should incarcerate the defendant in the Cleburne County Detention Center for flaunting the dignity and authority of this court. In the alternative, this court should sanction the defendant as appropriate and just.
- 10. That this court should again order great compliance with discovery and compel the defendant to fully answer discovery.
- 11. That the plaintiff has retained an expert, Garrett Ziegler, and counsel for the plaintiff can not adequately prepare for trial, conduct discovery, or utilize her experts under the current protective order because Mr. Biden will not answer discovery. This court should modify the scheduling order.
- 12. That Mr. Biden, who has never appeared before this court to answer for his repeated filing of spurious motions for protective orders and contemptuous

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acts, should be order to appear and show cause as to why he has requested protective orders, been granted those orders, and still not complied with those orders.

13. That the defendant, who holds a Juris Doctor from Yale Law School, is engaging in vexatious litigation practices, has intentionally frustrated the litigation, and forced the plaintiff to incur excessive attorney's fees. This court should order that the defendant pay the plaintiff's attorney's fees and costs related to his conduct as detailed in this motion.

WHEREFORE the plaintiff moves this honorable court to find the defendant in contempt; compel discovery; modify the scheduling order; for sanctions; for attorney's fees and costs; and for all other just and proper relief.

Respectfully Submitted,

LANCASTER & LANCASTER LAW FIRM, PLLC

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By: <u>/S/ JENNIFER M. LANCASTER</u> **Jennifer M. Lancaster**, 2011178

CERTIFICATE OF SERVICE

	By my s	signature	above, I cer	tify pu	ırsuant	to A	rk. R.	Civ.]	P. 5(e) tha	it a copy	y of
the	foregoing	has been	delivered l	by the	below	met	hod to	the	following	person	or
persons:											
	First Class	Mail	Facsimile		Email	X	AOC/E	CF	Hand	Deliver	y

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Brent Langdon

on this $__$ DAY of APRIL, 2023.

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