

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

Brian P. Carr  
Plaintiff

versus

Sam Reed, in his official capacity as Secretary of State of the State of Washington, Wanda Briggs in her official capacity as Chair of the State of Washington Commission of Judicial Conduct, and Rob McKenna, in his official capacity as Attorney General of the State of Washington and representing in their official capacity as representatives of the State of Washington and, separately, as private individuals the Honorable Robert L. Harris, John F. Nichols, Barbara D. Johnson, Kenneth Eiesland, Rich Melnick, John Hagensen, Kelli E. Osler, Joel Penoyar, (J.) C. C. Bridgewater, J. Robin Hunt, Gerry L. Alexander, Barbara Madsen, Mary E. Fairhurst, Susan Owens and James M. Johnson as well as other currently unnamed parties as determined by the Court  
Defendants

Civil No. 3:07-cv-05260-RJB

Motion to  
Speed Discovery Process  
Noting Date:  
October 12, 2007

Plaintiff, Brian P. Carr, pro se, in compliance with [Local Rule CR 7](#), respectfully requests that the Court speed the discovery process through an Order

1. Shortening the time for a response to interrogatories and requests for access to documents to fourteen (14) days.
2. For those interrogatories and requests for access to documents which were submitted prior to the issuance of said order, the response will be due as the earlier of the original due date or fourteen (14) days after the date of said order.

3. Directing all parties to submit Initial Disclosures, request for access to documents, interrogatories, and responses to these documents via the court's CM/ECF System.

In the Joint Status Report and Discovery Plan which was submitted on August 24, 2007 ([document 24](#), paragraph 6.D.), the plaintiff expressed his belief that in order for discovery to be completed in a timely fashion it would be necessary to shorten the deadlines for interrogatories and requests for access to documents. While the defendants did not actively oppose this in the Joint Status Report and Discovery Plan, they expressed hesitation to endorse it in the discussions before the submission of the joint document.

On August 29, 2007 this court granted an Order Granting Defendant's Motion to Stay Discovery ([document 25](#)) which delayed discovery until October 15, 2007 (about 45 days). This delay further increases the need to shorten deadlines in order to complete discovery in a timely fashion.

Also in the Joint Status Report and Discovery Plan ([document 24](#), paragraph 6.), there were several expected conflicts over access to documents as well as new potential areas of conflict with the answer of Wanda Briggs of the Washington Commission of Judicial Conduct ([document 35](#)). Plaintiff expressed his belief that these conflicts could be resolved more speedily if all parties submitted discovery requests and responses via the court's CM/ECF System so that the court can be consulted informally (telephone conferences with all parties) for speedy resolution to some of these conflicts ([document 24](#), paragraph 6.F.). The defendants did not comment on this proposal. All parties have elected for service via e-mail for filings to the court's CM/ECF and have the ability to file documents directly to the court's CM/ECF.

An example of this is [Document 24-2](#), Defendants' Initial Disclosures of August 15, 2007 which was submitted by the plaintiff on August 22, 2007 (with required certification). This was necessary so that the Initial Disclosures could be referred to in the Joint Status Report and Discovery Plan ([document 24](#)). It would be much simpler and with less potential for confusion if each party submitted discovery related documents directly to the court's CM/ECF.

The court has authority to adjust the time period when responses must be submitted to interrogatories ([FRCP 33](#) (b) (3)) and requests for access to documents ([FRCP 34](#) (b)). The court also has wide latitude in directing the manner of filings of documents during the discovery process.

#### CONCLUSION

For the reasons set forth above, plaintiff respectfully requests that the Order shortening the time for a response to interrogatories and requests for access to documents to fourteen (14) days and that parties submit these documents via the court's CM/ECF as described above.

Respectfully submitted, September 26, 2007 (Vancouver, WA).

s/ Brian P Carr  
Signature of Plaintiff  
Brian Carr  
11301 NE 7th St., Apt J5  
Vancouver, WA 98684  
503-545-8357

CERTIFICATION

I hereby certify that on September 26, 2007, a true and accurate copy of the foregoing Plaintiffs' Motion to Speed Discovery Process as well as the Proposed Order was filed electronically. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system as all parties have elected electronic filing as indicated on the Notice of electronic Filing. Parties access this filing through the court's CM/ECF System.

s/ Brian P Carr  
Signature of Plaintiff  
Brian Carr  
11301 NE 7th St., Apt J5  
Vancouver, WA 98684  
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UNITED STATES DISTRICT COURT  
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Brian P. Carr  
Plaintiff

versus

Sam Reed et al  
Defendants

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PROPOSED ORDER TO  
Speed Discovery Process

This matter comes before the court on plaintiff's Motion to Speed Discovery Process, Dkt. 38. The court has considered the relevant documents and the remainder of the file herein.

Therefore, it is hereby ORDERED that Plaintiff's Motion to Speed Discovery Process (Dkt. 38) is GRANTED. The parties are directed

1. To submit Initial Disclosures, request for access to documents, interrogatories, and responses to these documents via the court's CM/ECF System.
2. To submit responses to interrogatories and requests for access to documents within fourteen (14) days after being served with the document.
3. For those interrogatories and requests for access to documents which were submitted prior to the issuance of this order, the response will be due at the earlier of the original due date or fourteen (14) days after the date of this order.

The Clerk is directed to send uncertified copies of this Order to all counsel of record and to any party appearing *pro se* at said party's last known address.

Dated:

ROBERT J. BRYAN

United States District Judge