

With the question of private client lists and financial info, which will be held confidential for use solely in these proceedings and not disclosed elsewhere,

10:30

motion is denied. However, it is denied without prejudice. If based on future events including

13

SUFFOLK, ss.

NOTICE

SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT

JENZABAR, INC., LING CHAI, and ROBERT A MAGINN, JR.,	Notice sent 6/03/2009
Plaintiffs,	L. R. K. E., S., C. & M. T.C.D. M.N.K. A&B.Z.
v.	D.C. & G.
LONG BOW GROUP, INC.,	
Defendant.	(sc)

discovery, internet postings, etc., plaintiffs are able to make the requisite showing)

CIVIL ACTION NO. 07-2075-H

this Court will consider the issue and make the necessary

PLAINTIFF, JENZABAR, INC.'S, EMERGENCY MOTION FOR PROTECTIVE ORDER

The plaintiff, Jenzabar, Inc., pursuant to Mass.R.Civ.P. 26(c), moves on an emergency basis for a protective order to prevent having to further respond to discovery and testimony at depositions because of its legitimate concern that the defendant, Long Bow Group, Inc. ("LB"), (which is already without authorization using Jenzabar's marks as "metatags" in pages on LB's website and publicizing this case through false statements and disclosure of confidential information (including settlement discussions in this action)), will take confidential and private information produced by Jenzabar during discovery and "slant it" and highlight such information on its website (since LB has refused to execute an appropriate confidentiality order). This motion is being filed on an emergency basis because LB has noticed Jenzabar's deposition for this Monday, June 1, 2009, and has refused to continue the deposition until these issues can be resolved. Therefore, Jenzabar is left with no alternative but to file this motion and seek a protective order from this court.

More specifically, Jenzabar states:

{K0397301.1}

he's made a motion for a protective order... Court will not continue... of been publicized on country...

2009 MAY 29 11:30 AM
MICHAEL JOSEPH DONOVAN
CLERK/MAGISTRATE

motion, including if appropriate, a "slant-back" provision regarding depositions, however,

Motion allowed as follows: Deposition answers to Inter. and other pending written discovery, if any to Plaintiff shall be filed in or before June 12, 2009. Depositions of Plaintiff shall occur after that but no later than June 23, 2009. This includes 30(b)(6) deposition. Depos. of defendant may follow this discovery. Further relief sought in this

offer that but no later than June 23, 2009. This includes 30(b)(6) deposition. Depos. of defendant may follow this discovery. Further relief sought in this

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT

JENZABAR, INC., LING CHAI, and ROBERT A MAGINN, JR.,
Plaintiffs,

v.

LONG BOW GROUP, INC.,
Defendant.

motion is denied, without prejudice. This Court will entertain all motions and sanctions in the event plaintiff fail to comply with this order. However, at this time, the Court considers the non-response

SUFFOLK SUPERIOR COURT
CIVIL CLERK'S OFFICE
2009 JUN - 1 AM 11:34
MICHAEL JOSEPH DONOVAN
CLERK/MAGISTRATE

DEFENDANT LONG BOW GROUP INC.'S EMERGENCY MOTION FOR RELIEF PURSUANT TO RULE 37(D) DUE TO PLAINTIFF'S FAILURE TO ANSWER INTERROGATORIES AND FAILURE TO APPEAR AT DEPOSITIONS

Defendant Long Bow Group, Inc. ("Long Bow") respectfully requests, on an emergency basis, that the Court enter an Order pursuant to Mass. R. Civ. P. 37(d) imposing appropriate sanctions on plaintiff Jenzabar, Inc. ("Jenzabar") due to its failure to answer properly served interrogatories and failure to appear at a deposition properly noticed pursuant to Mass. R. Civ. P. 30(b)(6).

In support of this Motion, Long Bow offers the Affidavit of Adam B. Ziegler ("Ziegler Aff."), and exhibits thereto, and respectfully refers the Court to the legal authorities discussed in Long Bow's Opposition to Plaintiff's Emergency Motion for Protective Order.

Notice sent
6/03/2009
L.R.K.
E., S., C. & M.
T.C.D.
M.N.K.
A.B.Z.
D.C. & G.

(sc)

to be the result of a good faith dispute. Sherry D. 6/2/09