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UNITED STATES COURTS:
SIXTH CIRCUIT COURT OF APPEALS
DISTRICT OF ARIZONA
EASTERN DISTRICT OF MICHIGAN

BY EMAIL & FIRST CLASS MAIL

To: Patrick R. Sturdy, Esq.
33900 Schoolcraft Road
Livonia, Michigan 48150
psturdy@cnda-law.com

Date: December 20, 2011

Pages: 2

Re: ***Saad v. City of Dearborn Heights, et al.***
Local Rule 37.1 Correspondence

Dear Mr. Sturdy,

We are writing pursuant to Local Rule 37.1 to narrow our area of disagreement regarding Plaintiffs' Second Request for Production of Documents and Defendant's Response to Plaintiffs' Second Request for Production of Documents.

Specifically, we believe Defendants' Responses are deficient as follows:

1. Request No. 22. Defendant has been provided ample time to produce Plaintiffs' booking photographs. Accordingly, we expect immediate production of these.

2. Request Nos. 25 – 26. Defendant has not provided a privilege log. Please supplement your response by stating whether any document has been withheld on the basis of a privilege and if so, provide a privilege log.

2. Request No. 27. Defendant's Response is inadequate as only partially responsive. Specifically, Defendant did not provide any documentation such as "handbooks, manuals, handouts, audio/visual materials, certificates of completion, acknowledgement forms or other documentation confirming each individual Defendant's participation in any such training" as **requested** by Plaintiffs. To the extent Defendant withholds any of the foregoing on the basis of a privilege, Defendant is required to

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identify the document withheld, the applicable privilege and to provide a “privilege log” of all withheld documents.

3. Request No. 28. Defendant’s response is inadequate and non-responsive. Further, Defendant’s privilege assertions are meritless. Accordingly, we require Defendant to produce all documents requested pertaining to **all** Dearborn Heights police officers (non-Defendants) (whether current or former). To the extent Defendant withholds any of the foregoing on the basis of a privilege, Defendant is required to identify the document withheld, the applicable privilege, and to provide a “privilege log” of all withheld documents.

4. Request No. 29. Defendant’s response is inadequate and non-responsive. Further, Defendant’s privilege assertions are meritless. Accordingly, we require Defendant to produce all documents requested pertaining to **all** Dearborn Heights police officers whether current or former (not just the Defendants). To the extent Defendant withholds any of the foregoing on the basis of a privilege, Defendant is required to identify the document withheld, the applicable privilege, and to provide a “privilege log” of all withheld documents.

5. Request No. 31. Defendant’s response is inadequate and non-responsive. Further, Defendant’s privilege assertions are meritless. Accordingly, we require Defendant to produce all documents requested pertaining to **all** Dearborn Heights police officers whether current or former (not just the Defendants). To the extent Defendant withholds any of the foregoing on the basis of a privilege, Defendant is required to identify the document withheld, the applicable privilege, and to provide a “privilege log” of all withheld documents.

Unless we receive adequate responses within seven (7) days, we will have no choice but to file a Motion to Compel Production of Documents. Also, please provide a **signed** copy of Defendant’s Response which is signed by the Defendant’s authorized party responding on behalf of the Defendant.

Please do not hesitate to contact me should you have any questions regarding the foregoing.

Cordially,

HADOUSCo. | PLLC

/s/Nemer N. Hadous
Nemer N. Hadous |AZ: 027529| CA: 264431|

Cc:

Jeffrey R. Clark (via jclark@cmda-law.com)

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