

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

ALTEREAK WITHERSPOON,	:	
Plaintiff,	:	CIVIL CASE NO.
	:	3:15cv1659 (JCH)
v.	:	
	:	
LEONARD JAHAD, et al.,	:	MAY 26, 2017
Defendants.	:	

**RULING ON PLAINTIFF’S MOTION TO COMPEL PRODUCTION AND MOTION FOR  
EXTENSION OF TIME (DOC. NO. 66)**

On May 15, 2017, the plaintiff filed a Motion to Compel (Doc. No. 66). The subject of the Motion to Compel was the failure of the defendants to file a privilege log with respect to the assertion of work product and attorney-client privilege. In light of this representation, the court denies the Motion to Compel.

However, the court cannot but pause over the fact that defendants’ counsel, under Rule 11, filed a pleading in which she asserted a privilege in connection with demand for production of documents, and yet, and there were no privileged documents. This “feint” by defense counsel has resulted in an inordinate waste of time by plaintiff’s counsel and the court. In the future, the court expects defense counsel to carefully review any pleading which is signed, and to desist from asserting privilege in response to a discovery request when in fact no items are withheld on the basis of privilege.

The second portion of the plaintiff’s Motion is a Motion for Extension of Time (See Doc. No. 66). In light of the fact that there are no privileged documents being withheld, there is no need for an extension of time to compel the production of

documents that are asserted as privileged. Therefore the Motion for Extension of Time is denied.

**SO ORDERED**

Dated at New Haven, Connecticut this 26th day of May, 2017.

/s/ Janet C. Hall  
Janet C. Hall  
United States District Judge