

Guy W. Rogers
grogers@brownfirm.com
Jon A. Wilson
jwilson@brownfirm.com
Brett C. Jensen
bjensen@brownfirm.com
BROWN LAW FIRM, P.C.
315 North 24th Street
P.O. Drawer 849
Billings, MT 59103-0849
Tel. (406) 248-2611
Fax (406) 248-3128

Joel M. Taylor, Esq. (appearing *pro hac vice*)
jtaylor@mmt-law.com
MILLER MCNAMARA & TAYLOR LLP
100 South Bedford Road, Suite 340
Mount Kisco, New York 10549
Tel./E-Fax (845) 288-0844
*Attorneys for Defendants Watchtower Bible and Tract Society of New York, Inc.,
and Watch Tower Bible and Tract Society of Pennsylvania*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

TRACY CAEKAERT, and CAMILLIA	)	Cause No. CV 20-52-BLG-SPW
MAPLEY,)	
)	
Plaintiffs,	)	DEFENDANTS WATCH TOWER
	)	BIBLE AND TRACT SOCIETY OF
	)	PENNSYLVANIA'S AND
vs.	)	WATCHTOWER BIBLE AND
	)	TRACT SOCIETY OF NEW YORK,
WATCHTOWER BIBLE AND	)	INC.'S RESPONSE BRIEF TO
TRACT SOCIETY OF NEW YORK,	)	PLAINTIFFS' STATEMENT OF
INC., WATCH TOWER BIBLE AND	)	ATTORNEYS' FEES AND COSTS
TRACT SOCIETY OF	)	RE: MOTION TO COMPEL (DOC.
PENNSYLVANIA, and BRUCE	)	88)
MAPLEY SR.,)	

Defendants.

WATCHTOWER BIBLE AND
TRACT SOCIETY OF NEW YORK,
INC.

Cross-Claimant,

vs.

BRUCE MAPLEY SR.,

Cross-Claim Defendant.

Defendants Watch Tower Bible and Tract Society of Pennsylvania (hereinafter “WTPA”) and Watchtower Bible and Tract Society of New York, Inc. (hereinafter “WTNY”), by and through their attorneys, hereby submit their Response Brief to Plaintiffs’ Statement of Attorneys’ Fees and Costs Re: Motion to Compel (hereinafter “Plaintiffs’ Statement”) (Doc. 88). WTPA and WTNY do not object to the \$22,631.80 amount calculated by Plaintiffs and have sent a check in that amount to Plaintiffs’ counsel. The purpose of this Response Brief is to address certain unsupported allegations made in Plaintiffs’ Statement.

WTPA and WTNY combined have responded to 5 sets of jurisdictional discovery requests consisting of 69 Interrogatories, 97 Requests for Production, and

34 Requests for Admission, and have produced over 63,500 pages of documents. *See* Defendants WTPA's and WTNY's Response Brief in Opposition to Plaintiffs' Motion to Compel Jurisdictional Discovery Responses, p. 12 of 38 (hereinafter "Response Brief to Motion to Compel") (Doc. 67). Prior to the filing of Plaintiffs' Motion to Compel, counsel engaged in extensive correspondence regarding discovery issues raised by Plaintiffs, including the following correspondence by counsel for WTPA and WTNY:

- A 5-page letter dated January 22, 2021, responding to issues raised by Plaintiffs' counsel in a letter dated January 19, 2021. *See* Doc. 67-2.
- A 3-page letter dated February 12, 2021, responding to issues raised by Plaintiffs' counsel in two letters dated January 26, 2021. *See* Doc. 67-3.
- A 3-page letter dated March 22, 2021, responding to issues raised by Plaintiffs' counsel in a letter dated March 10, 2021. *See* Doc. 67-4.
- A 10-page letter dated March 22, 2021, responding to issues raised by Plaintiffs' counsel in e-mail correspondence from March 8 and 9, 2021. *See* Doc. 57-2.
- A 12-page letter dated April 8, 2021, responding to issues raised by Plaintiffs' counsel in a letter dated March 26, 2021, a phone call on March 29, 2021, and an e-mail dated April 6, 2021. *See* Doc. 67-5.

This correspondence, along with the 8 discovery supplements issued by WTPA and WTNY combined, *see* Doc. 67, p. 12 of 38, show the significant efforts made by WTPA and WTNY to try and resolve the discovery disputes raised by Plaintiffs, not a “refus[al] to entertain any sort of compromise” or “doubl[ing] down on increasingly unjustifiable and unreasonable positions” as suggested by Plaintiff. *See* Plaintiffs’ Statement, p. 2.

WTPA and WTNY had legitimate legal bases for its discovery responses and objections as set forth in its Response Brief to Motion to Compel. *See* Doc. 67. While the Court ultimately ruled in favor of Plaintiffs as to their Motion to Compel, such ruling does not support Plaintiffs’ allegations that WTPA and WTNY engaged in “baseless nonproduction of documents”, acted with “purposeful and bad faith obfuscation”, or utilized “evasive tactics”. *See* Plaintiffs’ Statement p. 6. Plaintiffs fail to substantiate or even provide specific examples of such alleged conduct, which allegations WTPA and WTNY deny.

DATED this 23rd day of September, 2021.

By: /s/ Jon A. Wilson

Jon A. Wilson

BROWN LAW FIRM, P.C.

*Attorneys for Defendants Watchtower
Bible and Tract Society of New York,
Inc., and Watch Tower Bible and
Tract Society of Pennsylvania*

CERTIFICATE OF COMPLIANCE

Pursuant to L.R. 7.1(d)(2)(E), the undersigned hereby certifies this brief complies with L.R. 7.1(d)(2)(A). According to the word-processing unit used to prepare this brief, the word count is **526** words excluding caption and certificates of service and compliance.

DATED this 23rd day of September, 2021.

By: /s/ Jon A. Wilson

Jon A. Wilson

BROWN LAW FIRM, P.C.

*Attorneys for Defendants Watchtower
Bible and Tract Society of New York,
Inc., and Watch Tower Bible and
Tract Society of Pennsylvania*

CERTIFICATE OF SERVICE

I hereby certify that, on September 23, 2021, a copy of the foregoing was served on the following person(s):

1. U.S. District Court, Billings Division
2. Robert L. Stepan
Ryan R. Shaffer
James C. Murnion
MEYER, SHAFFER & STEPANS, PLLP
430 Ryman Street
Missoula, MT 59802
3. Bruce G. Mapley Sr.
3905 Caylan Cove
Birmingham, AL 35215

by the following means:

<u>1, 2</u> CM/ECF	<u> </u> Fax
<u> </u> Hand Delivery	<u> </u> E-Mail
<u>3</u> U.S. Mail	<u> </u> Overnight Delivery Services

By: /s/ Jon A. Wilson
Jon A. Wilson
BROWN LAW FIRM, P.C.
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