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August 6, 2019

VIA ECF

Hon. William K. Sessions III
United States District Court for the District of Vermont
Burlington, Vermont 05402-0928

Re: Jenkins v. Miller, No. 2:12-cv-184 (D. Vt.)

Judge Sessions:

Plaintiffs Janet Jenkins and Isabella Miller-Jenkins submit this letter in response to the “Supplemental Reply in Support of Motion to Compel,” ECF 365, filed by Defendants Philip Zodhiates, Victoria Hyden, and Response Unlimited, Inc., on August 6, 2019.

Plaintiffs are not in possession of any redacted documents produced by Christian Aid Ministries (CAM). Redaction was considered as an option to address CAM’s concerns about sensitive unrelated information contained within 14 pages of responsive documents. CAM chose to produce those documents in unredacted form and mark them “confidential” on the condition that Plaintiffs not disclose them until a protective order governing the use of confidential information was entered.

Plaintiffs accepted the production with CAM’s assurance that it comprised all relevant documents in CAM’s possession. CAM agreed to allow Plaintiffs to issue focused follow-up requests if necessary after Plaintiffs’ review of the produced documents.

Thereafter, Plaintiffs sought Defendants’ consent to a blanket protective order governing the use of confidential information. Although the agreement with CAM was the immediate impetus, Plaintiffs have never represented that it was the sole reason for seeking such an order. Moreover, because negotiations regarding a blanket protective order have stalled, Plaintiffs are negotiating a protective order that would cover only the confidential CAM documents.

Plaintiffs have not withheld information or documents related or responsive to a third-party subpoena from Defendants for strategic purposes. With the exception of the 14 pages of documents marked confidential by CAM, Plaintiffs have supplied all defendants with all documents produced in response to Plaintiffs’ subpoenas, as evidenced by the discovery certificates on the docket.

Plaintiffs appreciate Your Honor's time and attention to this matter.

Respectfully submitted,

A handwritten signature in black ink that reads "Tyler Clemons". The signature is written in a cursive style with a large, stylized initial 'T'.

J. Tyler Clemons
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