

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF VERMONT

_____)	
JANET JENKINS, ET AL.,)	
)	
Plaintiffs,)	
)	Docket No. 2:12-cv-00184
v.)	
)	
KENNETH L. MILLER, ET AL.,)	
)	
Defendants.)	
_____)	

**DEFENDANTS LIBERTY COUNSEL, INC. AND RENA M. LINDEVALDSEN’S
RESPONSE TO JENKINS’ “NOTICE OF MITIGATION”**

Defendants Liberty Counsel, Inc. and Rena M. Lindevaldsen (“Defendants”), by and through the undersigned counsel, respond to Plaintiff Janet Jenkins’ (“Jenkins”) “Notice of Mitigation” etc. (dkt. 517) as follows:

- 1) Defendants inadvertently filed un-redacted versions of Jenkins’ production emails (dkt. 513-1 and 513-2), an oversight they regret and for which they apologize.
- 2) Prior to filing her “Notice of Mitigation,” Jenkins did not contact Defendants’ counsel to discuss this issue. As with her many other discovery complaints in this Court (detailed in Defendants’ Cross-Motion for Sanctions), and as has become an unfortunate pattern and practice, Jenkins ran straight to the Court in an attempt to embarrass Defendants, without giving Defendants any notice or opportunity to take corrective action themselves – which they would have been eager to take. Defendants first learned of this issue when they received the “Notice of Mitigation” filing from the Court, which arrived in their email inbox concurrently with Jenkins’

counsel's notification of the changed password.

3) As Jenkins advises that her counsel have already changed the inadvertently disclosed password, no action is required from the Court on Jenkins' superfluous "Notice," other than perhaps to admonish Jenkins of her obligation to bring discovery and other litigation issues to the attention of counsel before engaging with the Court, as is required by this Court's rules and the standards of professional conduct.

Respectfully submitted,

Anthony R. Duprey
DUPREY LAW, PLLC
11 Main Street, Suite B110F
Vergennes, Vermont 05491
Phone: (802) 870-6563
Email: Anthony@DupreyLaw.com

/s/ Horatio G. Mihet
Horatio G. Mihet*
Roger K. Gannam*
Daniel J. Schmid*
LIBERTY COUNSEL
P.O. Box 540774
Orlando, FL 32854
Phone: (407) 875-1776
Facsimile: (407) 875-0770
Email: dschmid@lc.org

*Attorneys for Defendants Liberty Counsel, Inc.
And Rena M. Lindevaldsen*

*Admitted pro hac vice

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of March, 2020, I caused a true and correct copy of the foregoing to be electronically filed with this Court. Service will be effectuated on all counsel of record via this Court's ECF/electronic notice system.

/s/ Horatio G. Mihet
Horatio G. Mihet