

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT**

JANET JENKINS,

Plaintiff,

v.

KENNETH L. MILLER, *et al.*,

Defendants.

No. 2:12-cv-184-WKS

**PLAINTIFF’S MEMORANDUM IN RESPONSE TO THE COURT’S ORDER
GRANTING DEFENDANT LISA MILLER’S EMERGENCY MOTION TO STAY CIVIL
ACTION**

Plaintiff respectfully submits this memorandum pursuant to the Court’s Order that the parties file memoranda “as to whether the remainder of the case should either proceed to motions or trial or be stayed pending resolution of the criminal case involving Lisa Miller.” Order 4, ECF 686. It remains Plaintiff’s position that this case should not proceed piecemeal against some defendants but not others, *see* Post-Hr’g Mem. 1, 3, ECF 658; therefore, because the Court stayed the case against Defendant Lisa Miller pending her criminal prosecution, it should also stay the case against Lisa’s co-conspirators. As explained in more detail below, Plaintiff respectfully requests that the Court order that the parties forthwith produce all discovery already ordered to be produced, *see* ECF 661, 665; grant Plaintiff’s pending unopposed motion to compel and petition to disclose, *see* ECF 670; and stay this case, including all other discovery, such as the depositions scheduled to commence next week, pending resolution of Lisa’s criminal prosecution.

The parties appear to agree that the Court should stay this entire case. *See* ECF 688 (Defendant Linda Wall); ECF 689 (Defendants Philip Zodhiates, Victoria Hyden, and Response Unlimited, Inc.); ECF 690 (Defendant Timothy Miller); Emergency Mot. for Stay of Proceedings

8, ECF 671 (listing Defendant Kenneth Miller as consenting to Lisa Miller's motion to stay this action); Ex. 1: Emails *1–4 (email from counsel for Defendants Liberty Counsel, Inc. and Rena Lindevaldsen representing that they would agree to a stay of the case if all discovery is stayed); *id.* at *7 (email from counsel for Kenneth Miller not objecting to Lisa's motion "to stay the entire proceeding pending resolution of these criminal proceedings").

Courts apply the same discretion and consider the same factors when deciding whether to stay an entire civil case as they do when deciding whether to stay it as to some defendants pending their criminal prosecutions. *See Trs. of Plumbers & Pipefitters Nat'l Pension Fund v. Transworld Mech., Inc.*, 886 F. Supp. 1134, 1138–39, 1141 (S.D.N.Y. 1995). Staying this entire case would not only avoid unfair prejudice and conserve judicial resources but also potentially narrow the issues.

First, a stay of this case would avoid unfair prejudice because Lisa Miller sits at the very heart of this case. Before Lisa's reappearance, Plaintiff had no choice but to proceed against Lisa's co-conspirators without the opportunity to confront Lisa about the conspiracy and test Defendants' ongoing denials of their involvement in it against Lisa's testimony. Her reappearance, after eleven-plus years on the run, provides Plaintiff with that opportunity, but permitting this case to proceed against the other Defendants without Lisa or her testimony would unfairly deny Plaintiff this critical source of evidence. Meanwhile, Lisa appears to have joined her co-conspirators' joint defense agreement, permitting Defendants access to Lisa that Plaintiff does not have. *See, e.g.*, Ex. 1: Emails *8 (email from Lisa's counsel referring to "Co-Defense Counsel"); Ex. 2: Def. Linda Wall's Resps. & Objs. to Pl. Janet Jenkins's Second Set of Reqs. for Produc. 2 ("Wall further states that Defendants have an oral joint-defense / common-interest agreement."). Therefore, allowing the case to proceed would permit Defendants to attempt to

benefit unfairly from whatever questions Lisa's continued inaccessibility leaves unanswered in their anticipated forthcoming summary judgment motions. *See* Mots. Hr'g Tr. 16:12–15 (Mar. 8, 2021), ECF 683. And if this case reached trial before Lisa's criminal prosecution concluded, Plaintiff would be unfairly prejudiced before the jury in this case by Lisa's conspicuously empty chair at defense counsel's table. In short, any summary judgment or jury verdict for any Defendant would be fundamentally unfair if entered before Plaintiff is able to confront Lisa.

Second, a stay would conserve resources. Courts in the Second Circuit have stayed entire civil cases pending criminal prosecutions of only some defendants, to avoid duplication of efforts and for the sake of judicial economy. *See, e.g., Trs. of Plumbers & Pipefitters Nat'l Pension Fund*, 886 F. Supp. at 1141 (granting motion to stay entire civil case pending criminal case, instead of granting partial stay, “[t]o avoid duplication of effort and for judicial economy”); *Volmar Distribs., Inc. v. N.Y. Post Co.*, 152 F.R.D. 36, 41–42 (S.D.N.Y. 1993) (same). This Court has already warned that, “when [Lisa] comes back into the civil litigation, you have to start discovery all over again because she has never participated in discovery. So you have to go through the whole thing again.” Mots. Hr'g Tr. 6:21–24 (Mar. 8, 2021), ECF 683; *accord* Fed. R. Civ. P. 32(a)(1) (“At a hearing or trial, all or part of a deposition may be used against a party on these conditions: (A) the party was present or represented at the taking of the deposition or had reasonable notice of it”). Thus far, the parties have taken only six nonparty depositions and five expert depositions; all ten party depositions and two nonparty depositions remain. The more depositions taken without Lisa now, the more depositions would have to be re-taken with Lisa later. Under the current discovery deadline of May 26, 2021, the parties are scheduled to take all party depositions (except for Lisa's) and two nonparty depositions of Mathew Staver and an AT&T custodian between May 4 and May 20. Lisa's eventual deposition testimony, or her

criminal trial testimony, could necessitate re-opening depositions already taken. If Lisa's prosecution concluded during or just before trial in this case, that would upend whatever trial schedule the Court would set and require further duplication of efforts.

Third, a stay could narrow the issues in this case in several ways. Lisa currently is indicted on one count of international parental kidnapping and one count of conspiring to commit that crime. *See* ECF 671-1. A conviction on those counts could preclude Lisa from challenging certain elements of Plaintiff's claims against her. *See generally* Op. & Order: Pls.' Mot. for Partial Summ. J., ECF 555. Lisa might also plead guilty to one or both counts of the indictment, and part of that plea agreement, like Defendant Timothy Miller's, might require her cooperation in providing testimony. *See* Plea Agreement 8, *United States v. Timothy Miller*, No. 1:14-cr-175 (W.D.N.Y.), ECF 439-16. If Lisa instead goes to trial, one or more Defendants in this case might be called as witnesses, which would result in transcribed testimony that Plaintiff could use to streamline testimony in this case. *See, e.g.*, Fed. R. Evid. 801(d). For example, the United States has already indicated that it might call Defendant Kenneth Miller as a witness at Lisa's trial. *See, e.g.*, Gov't's Reply to Def.'s Resp. to Mot. for Inquiry into Possible Conflict 2, *United States v. Lisa Miller*, No. 1:14-cr-175 (W.D.N.Y.), ECF 270. Kenneth Miller has expressed an intention to plead the Fifth in this case, given Lisa's prosecution and the supposed potential of further prosecution of him, but allowing the government to complete its prosecution of Lisa might avoid needing to resolve whether Kenneth Miller may continue to invoke that privilege despite his conviction for aiding and abetting Lisa. *See* Ex. 1: Emails *9 (“[G]iven Lisa Miller’s emergence and likely prosecution, the potential exists that Mr. [Kenneth] Miller could still be prosecuted for uncharged conduct, therefore Mr. Miller intends to exercise his rights under the United States’ Constitution to remain silent in all forums where he could incriminate himself.”); *cf.* Emails 1,

ECF 670-7 (“As to your contemplated Motion re: Victoria Hyden, you represent to the Court that she is not invoking her 5th Amendment privilege. No decision has been made on that question.”).

A stay could also avoid the need for the parties to seek an order that Defendant Philip Zodhiates’s residential reentry center allow him access to a computer and the internet for his remote deposition; he is slated to be transferred to home confinement, where presumably he would have computer and internet access, *see* Ex. 1: Emails *5, which would likely occur during the stay, given his release date is June 24, 2021, *see* Ex. 3: Inmate Locator.

Lisa’s prosecution might also finally put to rest the unfounded, defamatory accusation that Plaintiff abused Isabella. Lisa has already told the Court that she intends to argue that Plaintiff “was abusive to both [her] and to Isabella, and that she fled when it became clear that the Vermont family court was intent on refusing to allow the introduction of evidence of [Plaintiff’s] abuse, opting instead to use the case to vindicate the parental rights of homosexual partners.” Reply in Supp. of Def. Lisa Miller’s Emergency Mot. to Stay Proceedings 1, ECF 685. If Defendant is able to tell this same falsehood as an affirmative defense to the criminal indictment, *see* 18 U.S.C. § 1204(c) (“It shall be an affirmative defense under this section that ... (2) the defendant was fleeing an incidence or pattern of domestic violence”), then a conviction would preclude her from telling it again in this case. It would also undermine any other Defendant’s attempt to use that falsehood as a shield from their liability, which at least some defendants seem likely to try. Zodhiates, for example, currently is challenging his conviction because his criminal-defense attorney did not attempt to present that falsehood as an affirmative defense. *See, e.g.,* Mot. to Vacate, Set Aside, or Correct Sentence 4, *United States v. Zodhiates*, No. 1:14-cr-175 (W.D.N.Y.), ECF 209. And Timothy Miller seemed to suggest at the March 8, 2021 hearing that he too might rely on this falsehood. *See* Mots. Hr’g Tr. 47:18–48:2 (Mar. 8,

2021), ECF 683 (“Likewise, if the Court was to deny disqualification and wait until Isabella’s deposition is taken or wait, okay, until we get an affidavit from Isabella, okay, talking about the abuse that she suffered by Janet, and then Janet’s attorneys will want to presumably cross examine Isabella even though they have stated that they won’t cross examine Isabella or they don’t want Isabella to testify at all, but then when we either produce an affidavit or have a -- an actual deposition, that makes the conflict even more clear.”).

Staying this case pending Lisa’s criminal prosecution would be consistent with the Court’s earlier stay of the entire case pending Zodhiates’s criminal prosecution. *See* Mem. & Order Re: Mot. to Stay, ECF 192. The Court did not require Plaintiff to proceed with her claims against Kenneth Miller, Lisa Miller, Timothy Miller, Response Unlimited, Inc., Victoria Hyden, and Linda Wall. In fact, Zodhiates’s criminal prosecution revealed evidence that allowed Plaintiff to join Liberty Counsel and Lindevaldsen as defendants. *See* Op. & Order 26–42, ECF 220. The Court should take the same approach now that Lisa finally is being prosecuted.

If the Court does stay this case, Plaintiff would respectfully request that it order production of certain pending discovery, as described below, before the stay takes effect, so the parties may productively use the stay period to prepare to move ahead once the stay is lifted. The Court ordered similar document production from Response Unlimited before it stayed this case pending Zodhiates’s criminal prosecution. *See* Mem. & Order Re: Mot. to Stay 5, ECF 192.

First, the Court has already ordered certain discovery to be produced, which has not yet been produced. On August 31, 2020, the Court ordered Timothy Miller to comply with Plaintiff’s document requests because he had failed to timely object, *see* Op. & Order: Pls.’ Mot. to Compel Disc. From Def. Timothy Miller 8, ECF 554, and held that Timothy Miller had nonetheless failed on the merits of his Fifth Amendment objection to producing those

documents, *see id.* at 9–10. *See also* Order Re: Mot. for Recons. 4, ECF 661 (“To the extent that Timothy Miller continues to withhold documents responsive to Plaintiffs’ first set of requests for production on the basis of his Fifth Amendment privilege, he has not met the strict standard for granting a motion for reconsideration.”). Despite that clear order, Timothy Miller objected to producing at least two documents based on privilege. *See, e.g.*, Def. Timothy Miller’s Resps. & Objs. to Pls.’ First Set of Reqs. for Produc. 8, ECF 571-5 (“The sole documents to which Timo has access and which may also be found in this file are ... one document protected by the work product and/or attorney-client privilege and one document subject to the Fifth Amendment privilege.”). Defendant has yet to produce these documents and would face no undue burden from an order to do so before this case is stayed.

Additionally, on March 24, 2021, the Court ordered Liberty Counsel and Lindevaldsen to produce a number of documents, which they have not yet produced, when it granted in part and denied in part Plaintiff’s two motions to compel. *See* Order, ECF 665. Specifically, it ordered them “to run two additional rounds of searches,” *id.* at 6; “to provide Jenkins with an affidavit containing a list of all of the email accounts they searched, as well as the exact calendar accounts searched for RFPs 36 and 48,” *id.*; to edit their privilege logs “to provide more specific descriptions,” *id.* at 7–10; and to “produce all phone records” for the names and numbers Plaintiff provides them to search within their AT&T records, *id.* at 12–13.¹ Defendants should not pause their compliance with the Court’s order until the stay is lifted; instead, they should produce the documents before the stay, so that the parties may review them during the stay and prepare to proceed immediately once the stay is lifted.

¹ Plaintiff provided her list of search terms on April 7, 2021. *See* Disc. Certificate, ECF 679.

Second, the Court has before it Plaintiff's motion to compel Zodiates, Hyden, and Response Unlimited to produce documents contained within a withheld folder and Plaintiff's petition to disclose Hyden's grand jury testimony transcript. *See* ECF 670 (Mar. 30, 2021). No one, including any party or the government, filed a response. There should be no burden to producing these specific documents forthwith.² If the Court were to grant that motion and petition, Plaintiff would respectfully request that the Court order production of those documents before staying this case.

CONCLUSION

The Court should order that the discovery described above be produced and stay this case pending resolution of Lisa Miller's criminal prosecution.

Respectfully submitted.

April 26, 2021

/s/ Frank H. Langrock

Frank H. Langrock
Emily J. Joselson
Langrock Sperry & Wool, LLP
111 S. Pleasant Street
P.O. Drawer 351
Middlebury, Vermont 05753-0351
Phone: (802) 388-6356
Fax: (802) 388-6149
Email: flangrock@langrock.com
Email: ejoselson@langrock.com

Sarah Star
Sarah Star, PC
P.O. Box 106
Middlebury, Vermont 05753
Phone: (802) 385-1023
Email: srs@sarahstarlaw.com

² To avoid any confusion, Plaintiff did not move to compel *Defendants* to produce Hyden's grand jury testimony transcript because they deny having it; instead, Plaintiff petitioned for that transcript to be disclosed by its *custodian*.

Scott D. McCoy
Southern Poverty Law Center
P.O. Box 10788
Tallahassee, Florida 32302
Phone: (850) 521-3042
Fax: (850) 521-3001
Email: scott.mccoy@splcenter.org

Tyler Clemons
Southern Poverty Law Center
201 St. Charles Avenue, Suite 2000
New Orleans, Louisiana 70170
Phone: (504) 526-1530
Fax: (504) 486-8947
Email: tyler.clemons@splcenter.org

Diego A. Soto
Maya G. Rajaratnam
Southern Poverty Law Center
400 Washington Avenue
Montgomery, Alabama 36104
Phone: (334) 956-8200
Fax: (334) 956-8481
Email: diego.soto@splcenter.org
Email: maya.rajaratnam@splcenter.org

Jessica L. Stone
Southern Poverty Law Center
P.O. Box 1287
Decatur, Georgia 30031
Phone: (404) 221-5837
Fax: (404) 221-5857
Email: jessica.stone@splcenter.org

Counsel for Plaintiff Janet Jenkins

Diego Soto

From: Horatio Mihet <hmihet@lc.org>
Sent: Tuesday, April 20, 2021 4:04 PM
To: Scott McCoy; Diego Soto
Cc: Beth Littrell; Emily Joselson; flangrock; Jessica Stone; Brooks G. McArthur; Maya Rajaratnam; Anthony Biller; Sarah Star; Adam Hochschild; 'Michael J. Tierney'; Tyler Clemons; Cassie Parah; 'Anthony Duprey'; Daniel Schmid; Michael@Hirsh.law; Roger Gannam; 'Norman Smith'; 'Richard Boyer'; Lesley Biller; Lauren Wells; Aaron Fleisher; James Lawrence; rexlvt1969@together.net
Subject: RE: Jenkins et al. v. Miller et al., No. 2:12-cv-184 (D. Vt.)
Categories: Litify

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Scott -- my two clients would reluctantly agree to a stay, but only if it is a real, "all pencils down" stay for everyone. Otherwise, we press on.

HGM

Horatio G. Mihet, Esq.*
*Vice President of Legal Affairs and
Chief Litigation Counsel*
Liberty Counsel
PO Box 540774
Orlando, FL 32854
(407) 875-1776 phone
(407) 875-0770 fax
LC.org
Offices in DC, FL, and VA
*Licensed in Florida and Ohio

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Sent: Tuesday, April 20, 2021 4:18 PM
To: Horatio Mihet <hmihet@lc.org>; Diego Soto <Diego.Soto@splcenter.org>
Cc: Beth Littrell <beth.littrell@splcenter.org>; Emily Joselson <ejoselson@langrock.com>; flangrock <flangrock@langrock.com>; Jessica Stone <jessica.stone@splcenter.org>; Brooks G. McArthur <bmcArthur@jarvismcarthur.com>; Maya Rajaratnam <maya.rajaratnam@splcenter.org>; Anthony Biller <ajbiller@envisage.law>; Sarah Star <sarahstar.esq@gmail.com>; Adam Hochschild <adam@hochschildlaw.com>; 'Michael J. Tierney' <mtierney@wadleighlaw.com>; Tyler Clemons <Tyler.Clemons@splcenter.org>; Cassie Parah <cparah@jarvismcarthur.com>; 'Anthony Duprey' <anthony@dupreylaw.com>; Daniel Schmid <daniel@lc.org>; Michael@Hirsh.law; Roger Gannam <rgannam@lc.org>; 'Norman Smith' <norman@normansmithlaw.com>; 'Richard Boyer' <rickboyerlaw@gmail.com>; Lesley Biller <lbiller@envisage.law>; Lauren Wells <lwells@envisage.law>; Aaron Fleisher <aaron.fleisher@splcenter.org>; James Lawrence <jlawrence@envisage.law>; rexlvt1969@together.net
Subject: RE: Jenkins et al. v. Miller et al., No. 2:12-cv-184 (D. Vt.)

EXHIBIT

1

Harry:

Setting aside the ordered and outstanding discovery, is it defendants' position that the entirety of the case against all remaining defendants should be stayed pending resolution of Lisa Miller's criminal case?

Scott



Scott D. McCoy he/him/his

Interim Deputy Legal Director LGBTQ Rights & Special Litigation | Legal

Southern Poverty Law Center & SPLC Action Fund

T 850.521.3042 C 334.224.4309

scott.mccoy@splcenter.org | www.splcenter.org

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From: Horatio Mihet <hmihet@lc.org>

Sent: Tuesday, April 20, 2021 3:56 PM

To: Diego Soto <Diego.Soto@splcenter.org>

Cc: Beth Littrell <beth.littrell@splcenter.org>; Emily Joselson <ejoselson@langrock.com>; flangrock <flangrock@langrock.com>; Jessica Stone <jessica.stone@splcenter.org>; Brooks G. McArthur <bmcarthur@jarvismcarthur.com>; Maya Rajaratnam <maya.rajaratnam@splcenter.org>; Anthony Biller <ajbiller@envisage.law>; Sarah Star <sarahstar.esq@gmail.com>; Scott McCoy <Scott.McCoy@splcenter.org>; Adam Hochschild <adam@hochschildlaw.com>; 'Michael J. Tierney' <mtierney@wadleighlaw.com>; Tyler Clemons <Tyler.Clemons@splcenter.org>; Cassie Parah <cparah@jarvismcarthur.com>; 'Anthony Duprey' <anthony@dupreylaw.com>; Daniel Schmid <daniel@lc.org>; Michael@Hirsh.law; Roger Gannam <rgannam@lc.org>; 'Norman Smith' <norman@normansmithlaw.com>; 'Richard Boyer' <rickboyerlaw@gmail.com>; Lesley Biller <lbiller@envisage.law>; Lauren Wells <lwells@envisage.law>; Aaron Fleisher <aaron.fleisher@splcenter.org>; James Lawrence <jlawrence@envisage.law>; rexkilvt1969@together.net

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Diego – delaying my clients' right to summary judgment is one thing, but a one-sided stay is out of the question.

HGM

Horatio G. Mihet, Esq.*

Vice President of Legal Affairs and

Chief Litigation Counsel

Liberty Counsel

PO Box 540774

Orlando, FL 32854

(407) 875-1776 phone

(407) 875-0770 fax

LC.org

Offices in DC, FL, and VA

*Licensed in Florida and Ohio

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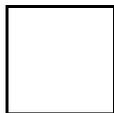
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From: Diego Soto <Diego.Soto@splcenter.org>
Sent: Tuesday, April 20, 2021 12:32 PM
To: Horatio Mihet <hmihet@lc.org>
Cc: Beth Littrell <beth.littrell@splcenter.org>; Emily Joselson <ejoselson@langrock.com>; flangrock <flangrock@langrock.com>; Jessica Stone <jessica.stone@splcenter.org>; Brooks G. McArthur <bmcarthur@jarvismcarthur.com>; Maya Rajaratnam <maya.rajaratnam@splcenter.org>; Anthony Biller <ajbiller@envisage.law>; Sarah Star <sarahstar.esq@gmail.com>; Scott McCoy <Scott.McCoy@splcenter.org>; Adam Hochschild <adam@hochschildlaw.com>; 'Michael J. Tierney' <mtierney@wadleighlaw.com>; Tyler Clemons <Tyler.Clemons@splcenter.org>; Cassie Parah <cparah@jarvismcarthur.com>; 'Anthony Duprey' <anthony@dupreylaw.com>; Daniel Schmid <daniel@lc.org>; Michael@Hirsh.law; Roger Gannam <rgannam@lc.org>; 'Norman Smith' <norman@normansmithlaw.com>; 'Richard Boyer' <rickboyerlaw@gmail.com>; Lesley Biller <lbiller@envisage.law>; Lauren Wells <lwells@envisage.law>; Aaron Fleisher <aaron.fleisher@splcenter.org>; James Lawrence <jlawrence@envisage.law>; rexkiltv1969@together.net
Subject: RE: Jenkins et al. v. Miller et al., No. 2:12-cv-184 (D. Vt.)

Harry,

It remains Plaintiff's position that this case should not proceed piecemeal against some defendants but not others; therefore, because the Court stayed the case against Lisa Miller pending her criminal prosecution, it should also stay the case against the other defendants. That said, it also remains Plaintiff's position that documents the Court has already ordered produced at ECF 661 and 665 should be produced before the stay and that the Court should decide the pending motion to compel the RUL Defendants and the petition to disclose Victoria Hyden's grand jury testimony transcript, which ultimately no party opposed. The Court ordered similar document production from Response Unlimited before it stayed the case pending Philip Zodhiates's criminal prosecution. See ECF 192. If the parties can agree to that, then Plaintiff could agree to a joint statement in lieu of separate memoranda.

Sincerely,
Diego



Diego Soto he/him/his
Staff Attorney | LGBTQ Rights & Special Litigation
Southern Poverty Law Center
T 334.956.8427 C 334.604.1414 F 334.956.8481
diego.soto@splcenter.org | www.splcenter.org
Admitted in Alabama and the District of Columbia

From: Horatio Mihet <hmihet@lc.org>
Sent: Tuesday, April 20, 2021 9:36 AM
To: Diego Soto <Diego.Soto@splcenter.org>
Cc: Beth Littrell <beth.littrell@splcenter.org>; Emily Joselson <ejoselson@langrock.com>; flangrock <flangrock@langrock.com>; Jessica Stone <jessica.stone@splcenter.org>; Brooks G. McArthur <bmcarthur@jarvismcarthur.com>; Maya Rajaratnam <maya.rajaratnam@splcenter.org>; Anthony Biller <ajbiller@envisage.law>; Sarah Star <sarahstar.esq@gmail.com>; Scott McCoy <Scott.McCoy@splcenter.org>; Adam Hochschild <adam@hochschildlaw.com>; 'Michael J. Tierney' <mtierney@wadleighlaw.com>; Tyler Clemons <Tyler.Clemons@splcenter.org>; Cassie Parah <cparah@jarvismcarthur.com>; 'Anthony Duprey' <anthony@dupreylaw.com>; Daniel Schmid <daniel@lc.org>; Michael@Hirsh.law; Roger Gannam <rgannam@lc.org>; 'Norman Smith' <norman@normansmithlaw.com>; 'Richard Boyer' <rickboyerlaw@gmail.com>; Lesley Biller <lbiller@envisage.law>; Lauren Wells <lwells@envisage.law>; Aaron Fleisher <aaron.fleisher@splcenter.org>; James Lawrence <jlawrence@envisage.law>; rexkiltv1969@together.net
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Diego:

Is Plaintiff's position still the same as it was expressed in dkt. 658, that her case against Lisa should proceed at the same time as her case against the other defendants? I ask in order to determine whether the parties can present an agreed statement to the court on the scope of the stay, in lieu of separate memoranda.

HGM

Horatio G. Mihet, Esq.*

*Vice President of Legal Affairs and
Chief Litigation Counsel*

Liberty Counsel

PO Box 540774

Orlando, FL 32854

(407) 875-1776 phone

(407) 875-0770 fax

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From: Diego Soto <Diego.Soto@splcenter.org>

Sent: Thursday, April 15, 2021 10:59 AM

To: Anthony Biller <ajbiller@envisage.law>

Cc: Beth Littrell <beth.littrell@splcenter.org>; Emily Joselson <ejoselson@langrock.com>; flangrock <flangrock@langrock.com>; Jessica Stone <jessica.stone@splcenter.org>; Brooks G. McArthur <bmcarthur@jarvismcarthur.com>; Maya Rajaratnam <maya.rajaratnam@splcenter.org>; Sarah Star <sarahstar.esq@gmail.com>; Scott McCoy <Scott.McCoy@splcenter.org>; Adam Hochschild <adam@hochschildlaw.com>; Horatio Mihet <hmihet@lc.org>; 'Michael J. Tierney' <mtierney@wadleighlaw.com>; Tyler Clemons <Tyler.Clemons@splcenter.org>; Cassie Parah <cparah@jarvismcarthur.com>; 'Anthony Duprey' <anthony@dupreylaw.com>; Daniel Schmid <daniel@lc.org>; Michael@Hirsh.law; Roger Gannam <rgannam@lc.org>; 'Norman Smith' <norman@normansmithlaw.com>; 'Richard Boyer' <rickboyerlaw@gmail.com>; Lesley Biller <lbiller@envisage.law>; Lauren Wells <lwells@envisage.law>; Aaron Fleisher <aaron.fleisher@splcenter.org>; James Lawrence <jlawrence@envisage.law>; rexkilt1969@together.net

Subject: RE: Jenkins et al. v. Miller et al., No. 2:12-cv-184 (D. Vt.)

Tony,

Sure. Here is what I believe we have:

Deponent	Date
Response Unlimited	Tue May 4 at 9am Eastern
Kenneth Miller	Thu May 6 at 9:15am Eastern
Timothy Miller	Mon May 10 at 9am Eastern
Rena Lindevaldsen	Tue May 11 at 9am Eastern
Mathew Staver	Wed May 12 at 9am Eastern

Diego Soto

From: Michael@Hirsh.law
Sent: Tuesday, April 13, 2021 11:17 AM
To: Diego Soto; 'Adam Hochschild'; 'Brooks G. McArthur'
Cc: Beth Littrell; Emily Joselson; flangrock; Jessica Stone; Maya Rajaratnam; Sarah Star; Scott McCoy; 'Horatio Mihet'; 'Michael J. Tierney'; 'Anthony Biller'; Tyler Clemons; 'Cassie Parah'; 'Anthony Duprey'; 'Daniel Schmid'; 'Roger Gannam'; 'Norman Smith'; 'Richard Boyer'; 'Lesley Biller'; 'Lauren Wells'; Aaron Fleisher; 'James Lawrence'; rexlvt1969@together.net; michael@hirsh.law
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RUL for May 4th is fine. On Philip Zodiates, I am waiting for an update, but last word that I got from BOP person I spoke with was there was no internet or computer access available. Also, waiting on a determination (no one seems to know how long this could take) on the decision to move my client to home confinement which would make internet/computer access a non-issue.

Michael R. Hirsh
Hirsh Law Office, LLC
2295 Towne Lake Pkwy
Suite 116-181
Woodstock, Georgia 30189
678-653-9907 Office

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From: Diego Soto <Diego.Soto@splcenter.org>
Sent: Tuesday, April 13, 2021 12:01 PM
To: Adam Hochschild <adam@hochschildlaw.com>; Michael@Hirsh.law; 'Brooks G. McArthur' <bmcArthur@jarvismcarthur.com>
Cc: Beth Littrell <beth.littrell@splcenter.org>; Emily Joselson <ejoselson@langrock.com>; flangrock <flangrock@langrock.com>; Jessica Stone <jessica.stone@splcenter.org>; Maya Rajaratnam <maya.rajaratnam@splcenter.org>; Sarah Star <sarahstar.esq@gmail.com>; Scott McCoy <Scott.McCoy@splcenter.org>; 'Horatio Mihet' <hmihet@lc.org>; 'Michael J. Tierney' <mtierney@wadleighlaw.com>; 'Anthony Biller' <ajbiller@envisage.law>; Tyler Clemons <Tyler.Clemons@splcenter.org>; 'Cassie Parah' <cparah@jarvismcarthur.com>; 'Anthony Duprey' <anthony@dupreylaw.com>; 'Daniel Schmid' <daniel@lc.org>; 'Roger

Diego Soto

From: Michael@Hirsh.law
Sent: Wednesday, March 31, 2021 4:08 PM
To: 'Michael J. Tierney'; 'Adam Hochschild'; 'Brooks G. McArthur'; 'Anthony Biller'; Sarah Star; rexkilvt@together.net; 'Horatio Mihet'
Cc: Beth Littrell; Emily Joselson; flangrock; Diego Soto; Jessica Stone; Maya Rajaratnam; Tyler Clemons; 'Cassie Parah'; 'Anthony Duprey'; 'Daniel Schmid'; 'Roger Gannam'; 'Norman Smith'; 'Richard Boyer'; 'Lesley Biller'; 'Lauren Wells'; Aaron Fleisher; Scott McCoy; michael@hirsh.law
Subject: RE: Jenkins et al. v. Miller et al., No. 2:12-cv-184 (D. Vt.) [WSP-ACTIVE.FID39922]

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Philip Zodiates, Victoria Hyden, and RUL Inc. consent.

Michael R. Hirsh
Hirsh Law Office, LLC
2295 Towne Lake Pkwy
Suite 116-181
Woodstock, Georgia 30189
678-653-9907 Office

Circular 230 Notice: In accordance with Treasury Regulations which became applicable to all tax practitioners as of June 20, 2005, please note that any tax advice given herein (and in any attachments) is not intended or written to be used, and cannot be used by any taxpayer, for the purpose of (1) avoiding tax penalties, or (2) promoting, marketing or recommending to another party any transaction or matter addressed herein.

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From: Michael J. Tierney <mtierney@wadleighlaw.com>
Sent: Wednesday, March 31, 2021 4:52 PM
To: Adam Hochschild <adam@hochschildlaw.com>; 'Brooks G. McArthur' <bmcArthur@jarvismcarthur.com>; 'Anthony Biller' <ajbiller@envisage.law>; 'Sarah Star' <sarahstar.esq@gmail.com>; rexkilvt@together.net; 'Horatio Mihet' <hmihet@lc.org>; 'Michael Hirsh' <Michael@Hirsh.law>
Cc: 'Beth Littrell' <beth.littrell@splcenter.org>; 'Emily Joselson' <ejoselson@langrock.com>; 'flangrock' <flangrock@langrock.com>; 'Diego Soto' <Diego.Soto@splcenter.org>; 'Jessica Stone' <jessica.stone@splcenter.org>; 'Maya Rajaratnam' <maya.rajaratnam@splcenter.org>; 'Tyler Clemons' <Tyler.Clemons@splcenter.org>; 'Cassie Parah' <cparah@jarvismcarthur.com>; 'Anthony Duprey' <anthony@dupreylaw.com>; 'Daniel Schmid' <daniel@lc.org>; 'Roger Gannam' <rgannam@lc.org>; 'Norman Smith' <norman@normansmithlaw.com>; 'Richard Boyer' <rickboyerlaw@gmail.com>; 'Lesley Biller' <lbiller@envisage.law>; 'Lauren Wells' <lwells@envisage.law>; 'Aaron Fleisher' <aaron.fleisher@splcenter.org>; 'Scott McCoy' <Scott.McCoy@splcenter.org>
Subject: RE: Jenkins et al. v. Miller et al., No. 2:12-cv-184 (D. Vt.) [WSP-ACTIVE.FID39922]

Timothy Miller consents.

I think Judge Sessions made clear at the March 8th hearing that if Lisa requested such a stay that he would grant it.

Michael

Michael J. Tierney, Esq.
Wadleigh, Starr & Peters, PLLC
95 Market Street
Manchester, NH 03101
603-669-4140
603-206-7239 (Direct)
603-669-6018 (Fax)

From: Adam Hochschild <adam@hochschildlaw.com>

Sent: Wednesday, March 31, 2021 4:49 PM

To: 'Brooks G. McArthur' <bmcArthur@jarvisMcArthur.com>; 'Anthony Biller' <ajbiller@envisage.law>; 'Sarah Star' <sarahstar.esq@gmail.com>; reXkilvt@together.net; 'Horatio Mihet' <hmihet@lc.org>; Michael J. Tierney <mtierney@wadleighlaw.com>; 'Michael Hirsh' <Michael@Hirsh.law>

Cc: 'Beth Littrell' <beth.littrell@splcenter.org>; 'Emily Joselson' <ejoselson@langrock.com>; 'flangrock' <flangrock@langrock.com>; 'Diego Soto' <Diego.Soto@splcenter.org>; 'Jessica Stone' <jessica.stone@splcenter.org>; 'Maya Rajaratnam' <maya.rajaratnam@splcenter.org>; 'Tyler Clemons' <Tyler.Clemons@splcenter.org>; 'Cassie Parah' <cparah@jarvisMcArthur.com>; 'Anthony Duprey' <anthony@dupreylaw.com>; 'Daniel Schmid' <daniel@lc.org>; 'Roger Gannam' <rgannam@lc.org>; 'Norman Smith' <norman@normansmithlaw.com>; 'Richard Boyer' <rickboyerlaw@gmail.com>; 'Lesley Biller' <lBiller@envisage.law>; 'Lauren Wells' <lwells@envisage.law>; 'Aaron Fleisher' <aaron.fleisher@splcenter.org>; 'Scott McCoy' <Scott.McCoy@splcenter.org>

Subject: RE: Jenkins et al. v. Miller et al., No. 2:12-cv-184 (D. Vt.)

Defendant Linda Wall consents.

Adam S. Hochschild
Hochschild Law Firm, LLC
314.503.0326
adam@hochschildlaw.com
www.HochschildLaw.com

From: Brooks G. McArthur [<mailto:bmcArthur@jarvisMcArthur.com>]

Sent: Wednesday, March 31, 2021 4:42 PM

To: Anthony Biller <ajbiller@envisage.law>; Sarah Star <sarahstar.esq@gmail.com>; reXkilvt@together.net; 'Horatio Mihet' <hmihet@lc.org>; 'Adam Hochschild' <adam@hochschildlaw.com>; 'Michael J. Tierney' <mtierney@wadleighlaw.com>; 'Michael Hirsh' <Michael@Hirsh.law>

Cc: 'Beth Littrell' <beth.littrell@splcenter.org>; 'Emily Joselson' <ejoselson@langrock.com>; 'flangrock' <flangrock@langrock.com>; 'Diego Soto' <Diego.Soto@splcenter.org>; 'Jessica Stone' <jessica.stone@splcenter.org>; 'Maya Rajaratnam' <maya.rajaratnam@splcenter.org>; 'Tyler Clemons' <Tyler.Clemons@splcenter.org>; Cassie Parah <cparah@jarvisMcArthur.com>; 'Anthony Duprey' <anthony@dupreylaw.com>; 'Daniel Schmid' <daniel@lc.org>; 'Roger Gannam' <rgannam@lc.org>; 'Norman Smith' <norman@normansmithlaw.com>; 'Richard Boyer' <rickboyerlaw@gmail.com>; Lesley Biller <lBiller@envisage.law>; Lauren Wells <lwells@envisage.law>; 'Aaron Fleisher' <aaron.fleisher@splcenter.org>; 'Scott McCoy' <Scott.McCoy@splcenter.org>

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

No objection. Brooks

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From: Anthony Biller <ajbiller@envisage.law>
Sent: Wednesday, March 31, 2021 4:40:38 PM
To: Sarah Star <sarahstar.esq@gmail.com>; rexkilvt@together.net <rexkilvt@together.net>; 'Horatio Mihet' <hmihet@lc.org>; 'Adam Hochschild' <adam@hochschildlaw.com>; 'Michael J. Tierney' <mtierney@wadleighlaw.com>; Brooks G. McArthur <bmcarthur@jarvismcarthur.com>; 'Michael Hirsh' <Michael@Hirsh.law>
Cc: 'Beth Littrell' <beth.littrell@splcenter.org>; 'Emily Joselson' <ejoselson@langrock.com>; 'flangrock' <flangrock@langrock.com>; 'Diego Soto' <Diego.Soto@splcenter.org>; 'Jessica Stone' <jessica.stone@splcenter.org>; 'Maya Rajaratnam' <maya.rajaratnam@splcenter.org>; 'Tyler Clemons' <Tyler.Clemons@splcenter.org>; Cassie Parah <cparah@jarvismcarthur.com>; 'Anthony Duprey' <anthony@dupreylaw.com>; 'Daniel Schmid' <daniel@lc.org>; 'Roger Gannam' <rgannam@lc.org>; 'Norman Smith' <norman@normansmithlaw.com>; 'Richard Boyer' <rickboyerlaw@gmail.com>; Lesley Biller <lbiller@envisage.law>; Lauren Wells <lwells@envisage.law>; 'Aaron Fleisher' <aaron.fleisher@splcenter.org>; 'Scott McCoy' <Scott.McCoy@splcenter.org>
Subject: RE: Jenkins et al. v. Miller et al., No. 2:12-cv-184 (D. Vt.)

Sarah,

I've just now, finally, received Lisa's indictment, attached. It is squarely on point with the civil suit. Based on that, it makes more sense to move to stay the entire proceeding pending resolution of these criminal proceedings, or alternatively, to at least stay until we are able to form an initial appearance and response to the complaint. I had hoped to have more time to evaluate the case and form Lisa's response, to include the whether and what of a stay, but the court's order and your proceeding with noticing depositions does not provide that opportunity to review and evaluate. Fortunately, I've been able on very short notice to communicate these issues with my client for purposes of her very short notice and opportunity to consider the implications of a stay.

Accordingly, please let me know whether Plaintiff consents to a stay of the proceeding pending Lisa's criminal prosecution, or, alternatively, a stay of the proceeding until such time as we are allowed to more fully respond to the complaint, and presumptively again request a stay.

Co-Defense Counsel – please let Duncan and I know whether you consent/object to Ms. Miller's request to stay pending her criminal prosecution.

Thank you.

Anthony Biller
Partner
Envisage Law
A Pinna Biller Burwell Black and Finch Firm
919.755.1317
2601 Oberlin Rd, Ste 100, Raleigh, NC 27608
www.envisage.law

From: Sarah Star <sarahstar.esq@gmail.com>
Sent: Wednesday, March 31, 2021 3:41 PM
To: Anthony Biller <ajbiller@envisage.law>; rexkilvt@together.net; 'Horatio Mihet' <hmihet@lc.org>; 'Adam Hochschild' <adam@hochschildlaw.com>; 'Michael J. Tierney' <mtierney@wadleighlaw.com>; 'Brooks McArthur' <bmcarthur@jarvismcarthur.com>; 'Michael Hirsh' <Michael@Hirsh.law>
Cc: 'Beth Littrell' <beth.littrell@splcenter.org>; 'Emily Joselson' <ejoselson@langrock.com>; 'flangrock' <flangrock@langrock.com>; 'Diego Soto' <Diego.Soto@splcenter.org>; 'Jessica Stone' <jessica.stone@splcenter.org>; 'Maya Rajaratnam' <maya.rajaratnam@splcenter.org>; 'Tyler Clemons' <Tyler.Clemons@splcenter.org>; 'Cassie Parah' <cparah@jarvismcarthur.com>; 'Anthony Duprey' <anthony@dupreylaw.com>; 'Daniel Schmid' <daniel@lc.org>; 'Roger Gannam' <rgannam@lc.org>; 'Norman Smith' <norman@normansmithlaw.com>; 'Richard Boyer'

Diego Soto

From: Brooks G. McArthur <bmcarthur@jarvismcarthur.com>
Sent: Tuesday, February 23, 2021 6:48 AM
To: Jessica Stone; Cassie Parah
Cc: Diego Soto
Subject: Re: Kenneth Miller's discovery responses

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Hi Jessica and Diego,

Currently Ken Miller's deposition is scheduled for March 2, 2021. I, on behalf of Mr. Miller, take no position on the current discovery deadline dispute. That being said, given Lisa Miller's emergence and likely prosecution, the potential exists that Mr. Miller could still be prosecuted for uncharged conduct, therefore Mr. Miller intends to exercise his rights under the United States' Constitution to remain silent in all forums where he could incriminate himself. This includes the deposition set for March 2nd. Please advise if you would like to proceed on March 2nd, understanding that Mr. Miller will remain silent. Alternatively, we could wait until the discovery deadline dispute is resolved to make a decision as to whether Ken Miller's deposition will be taken. Please let me know your thoughts. Brooks

From: Jessica Stone <jessica.stone@splcenter.org>
Sent: Wednesday, February 3, 2021 11:40 AM
To: Brooks G. McArthur <bmcarthur@jarvismcarthur.com>; Cassie Parah <cparah@jarvismcarthur.com>
Cc: Diego Soto <Diego.Soto@splcenter.org>
Subject: RE: Kenneth Miller's discovery responses

Yes that is fine.

Best,
Jessica



Jessica Stone she/her/hers
Law Fellow | LGBTQ Rights & Special Litigation
Southern Poverty Law Center
T 404.221.5837 C 404.807.0969
jessica.stone@splcenter.org | www.splcenter.org
Admitted in New York and Georgia

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From: Brooks G. McArthur <bmcarthur@jarvismcarthur.com>
Sent: Wednesday, February 3, 2021 10:50 AM
To: Jessica Stone <jessica.stone@splcenter.org>; Cassie Parah <cparah@jarvismcarthur.com>
Cc: Diego Soto <Diego.Soto@splcenter.org>
Subject: Re: Kenneth Miller's discovery responses

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT**

JANET JENKINS, et al.,

Plaintiffs,

v.

KENNETH L. MILLER, et al.,

Defendants.

No. 2:12-cv-184-WKS

**DEFENDANT LINDA WALL'S RESPONSES AND OBJECTIONS TO PLAINTIFF
JANET JENKINS'S SECOND SET OF REQUESTS FOR PRODUCTION**

Defendant Linda Wall, by and through counsel and pursuant to Federal Rule of Civil Procedure 34 and Local Rules 26 and 34, provides the following responses and objections to Plaintiff Janet Jenkins's Second Set of Requests for Production.

OBJECTIONS

1. Ms. Wall objects to these Requests insofar as they purport to impose definitions, instructions, and requirements different from and in addition to those set forth in the Federal Rules of Civil Procedure and/or the Local Rules. Such additional or conflicting definitions, instructions, and requirements constitute improper impositions on Ms. Wall and impose undue burdens on her in responding to these Requests.

2. Ms. Wall further objects to these Requests to the extent that they call for the production of documents that give Ms. Wall reasonable cause to believe that the production will provide the government with evidence to support a criminal prosecution.

3. Ms. Wall objects to these Requests to the extent they call for the production of documents already in Plaintiffs' possession, custody, or control on the ground that they are unduly burdensome. Ms. Wall further objects to these Requests to the extent they call for the

production of documents in the public domain, which have been publicly disseminated, or documents that are already in Plaintiffs' possession, custody, or control as a result of the numerous civil or criminal cases related to the dispute between Lisa Miller and Janet Jenkins, or the disappearance of Lisa Miller.

4. Ms. Wall further objects to these Requests to the extent they purport to require production of documents that are protected from disclosure by the attorney-client privilege, the attorney work-product doctrine, the joint-defense privilege, the common-interest privilege, the work product doctrine, or any other privilege or protection.

5. Ms. Wall incorporates these General Objections into each response below.

REQUESTS FOR PRODUCTION

70. All agreements between You and any Defendant or nonparty to engage in a joint defense in this case.

RESPONSE: Wall has no responsive documents. Wall further states that Defendants have an oral joint-defense / common-interest agreement.

71. All Documents that You (or an attorney or agent then acting on Your behalf) received in any way from any other current or then-current Defendant (or an attorney or agent then acting on another current or then-current Defendant's behalf) on or after August 14, 2012, that Concern: this case; or any fact alleged in this case; or any legal claim raised in this case; or any defense raised in this case; or Janet Jenkins; or Isabella Miller-Jenkins; or Lisa Miller; or the removal or retention of Isabella Miller-Jenkins outside the United States; or any charges, convictions, or sentences related to the removal or retention of Isabella Miller-Jenkins outside the United States. This request does not include Documents filed on the public docket of any court, Documents that were served on or produced to Plaintiffs, or Documents served or produced by Plaintiffs.

RESPONSE: Wall objects to this Request because it seeks documents subject to joint-defense privilege and common-interest privilege. Wall further objects to this Request because it is not proportional to the needs of the case, is unduly burdensome, and is overbroad. Wall further objects to this Request to the extent it seeks documents that are not relevant to any party's claim or defense. Responsive materials are being withheld on the basis of these objections.

72. All Documents that You (or an attorney or agent then acting on Your behalf) in any way gave to any other current or then-current Defendant (or an attorney or agent then acting on another current or then-current Defendant's behalf) on or after August 14, 2012, that Concern: this case; or any fact alleged in this case; or any legal claim raised in this case; or any defense raised in this case; or Janet Jenkins; or Isabella Miller-Jenkins; or Lisa Miller; or the removal or retention of Isabella Miller-Jenkins outside the United States; or any charges, convictions, or sentences related to the removal or retention of Isabella Miller-Jenkins outside the United States. This request does not include Documents filed on the public docket of any court, Documents that were served on or produced to Plaintiffs, or Documents served or produced by Plaintiffs.

RESPONSE: Wall objects to this Request because it seeks documents subject to joint-defense privilege and common-interest privilege. Wall further objects to this Request because it is not proportional to the needs of the case, is unduly burdensome, and is overbroad. Wall further objects to this Request to the extent it seeks documents that are not relevant to any party's claim or defense. Responsive materials are being withheld on the basis of these objections.

73. All of Your Communications (or those of an attorney or agent then acting on Your behalf) with any other current or then-current Defendant (or an attorney or agent then

acting on another current or then-current Defendant's behalf) on or after August 14, 2012, that Concern: this case; or any fact alleged in this case; or any legal claim raised in this case; or any defense raised in this case; or Janet Jenkins; or Isabella Miller-Jenkins; or Lisa Miller; or the removal or retention of Isabella Miller-Jenkins outside the United States; or any charges, convictions, or sentences related to the removal or retention of Isabella Miller-Jenkins outside the United States. This request does not include Communications filed on the public docket of any court, Communications that included Plaintiffs (or an attorney or agent then acting on Plaintiffs' behalf), Communications that were served on or produced to Plaintiffs, or Communications that were served or produced by Plaintiffs.

RESPONSE: Wall objects to this Request because it seeks documents subject to joint-defense privilege and common-interest privilege. Wall further objects to this Request because it is not proportional to the needs of the case, is unduly burdensome, and is overbroad. Wall further objects to this Request to the extent it seeks documents that are not relevant to any party's claim or defense. Wall further objects to this Request because it is duplicative of Requests 71 and 72. Responsive materials are being withheld on the basis of these objections.

74. All of Your Communications (or those of an attorney or agent then acting on Your behalf) with any current or then-current nonparty (or an attorney or agent then acting on a current or then-current nonparty's behalf) on or after August 14, 2012, that Concern: this case; or any fact alleged in this case; or any legal claim raised in this case; or any defense raised in this case; or Janet Jenkins; or Isabella Miller-Jenkins; or Lisa Miller; or the removal or retention of Isabella Miller-Jenkins outside the United States; or any charges, convictions, or sentences related to the removal or retention of Isabella Miller-Jenkins outside the United States. This

request does not include Communications filed on the public docket of any court, Communications that included Plaintiffs (or an attorney or agent then acting on Plaintiffs' behalf), Communications that were served on or produced to Plaintiffs, or Communications that were served or produced by Plaintiffs.

RESPONSE: Wall objects to this Request because it seeks documents subject to the work product doctrine. Wall further objects to this Request to the extent it seeks documents subject to joint-defense privilege or common-interest privilege. Wall further objects to this Request because it is not proportional to the needs of the case, is unduly burdensome, and is overbroad. Wall further objects to this Request to the extent it seeks documents that are not relevant to any party's claim or defense. Responsive materials are being withheld on the basis of these objections.

75. All Documents that You (or an attorney or agent then acting on Your behalf) received in any way from any current or then-current nonparty (or an attorney or agent then acting on a current or then-current nonparty's behalf) on or after August 14, 2012, that Concern: this case; or any fact alleged in this case; or any legal claim raised in this case; or any defense raised in this case; or Janet Jenkins; or Isabella Miller-Jenkins; or Lisa Miller; or the removal or retention of Isabella Miller-Jenkins outside the United States; or any charges, convictions, or sentences related to the removal or retention of Isabella Miller-Jenkins outside the United States. This request does not include Documents filed on the public docket of any court, Documents that were served on or produced to Plaintiffs, or Documents served or produced by Plaintiffs.

RESPONSE: Wall objects to this Request because it seeks documents subject to the work product doctrine. Wall further objects to this Request to the extent it seeks documents subject to joint-defense privilege or common-interest privilege. Wall further objects to this

Request because it is not proportional to the needs of the case, is unduly burdensome, and is overbroad. Wall further objects to this Request to the extent it seeks documents that are not relevant to any party's claim or defense. Wall further objects to this Request because it is duplicative of Request 74. Responsive materials are being withheld on the basis of these objections.

76. All Documents and information You are required to disclose under Rule 26(a)(2) in this case.

RESPONSE: See Wall's Rule 26(a)(2) disclosures and documents she has produced.

77. All Documents and Communications that relate to compensation for Your experts' studies or testimonies in this case.

RESPONSE: Wall has no responsive documents.

78. All Documents and Communications that identify all facts and data that Your experts considered in forming the opinions to be expressed in this case.

RESPONSE: Wall has no responsive documents.

79. All Documents and Communications that identify all assumptions that Your experts relied on in forming the opinions to be expressed in this case.

RESPONSE: Wall has no responsive documents.

June 9, 2020

/s/ Adam S. Hochschild

Adam S. Hochschild
Hochschild Law Firm, LLC
PO Box 401
Plainfield, VT 05667
Phone: 314.503.0326
Email: adam@hochschildlaw.com

Norman C. Smith
Norman C. Smith, PC
76 Lincoln Street
P.O. Box 24
Essex Junction, Vermont 05453-0024
Phone: (802) 288-9088
Fax: (802) 879-9640
Email: norman@normansmithlaw.com

Richard Boyer
Integrity Law Firm
PO Box 10953
Lynchburg, VA 24506
Phone: (434)401-2093
Fax: (434)239-3651
Email: rickboyerlaw@gmail.com

Counsel for Defendant Linda Wall

CERTIFICATE OF SERVICE

I hereby certify that, on this 9th day of June, 2020, the foregoing document was served on all counsel of record by email.

/s/ Adam S. Hochschild



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PHILIP ZODHIATES

Register Number: 18649-084

Age: 65
Race: White
Sex: Male

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EXHIBIT
3

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT**

JANET JENKINS,

Plaintiff,

v.

No. 2:12-cv-184-WKS

KENNETH L. MILLER, *et al.*,

Defendants.

CERTIFICATE OF SERVICE

I hereby certify that, on this date, Plaintiff's Memorandum in Response to the Court's Order Granting Defendant Lisa Miller's Emergency Motion to Stay Civil Action was served on the following counsel of record through the Court's CM/ECF system:

Richard Boyer
Integrity Law Firm, PLLC
Counsel for Defendant Linda M. Wall

Anthony R. Duprey
Neuse, Duprey & Putnam, PC
Counsel for Defendants Liberty Counsel, Inc. and Rena M. Lindevaldsen

Roger K. Gannam
Liberty Counsel
Counsel for Defendants Liberty Counsel, Inc. and Rena M. Lindevaldsen

Adam S. Hochschild
Hochschild Law Firm, LLC
Counsel for Defendant Linda M. Wall

Michael R. Hirsh
Hirsh & Heuser, LLC
Counsel for Defendants Philip Zodhiates, Victoria Hyden, and Response Unlimited, Inc.

Duncan F. Kilmartin
Rexford and Kilmartin, P.C.
Counsel for Defendant Lisa Miller

Brooks G. McArthur
Jarvis, McArthur & Williams, LLC
Counsel for Defendant Kenneth L. Miller

Horatio G. Mihet
Liberty Counsel
Counsel for Defendants Liberty Counsel, Inc. and Rena M. Lindevaldsen

Daniel Joseph Schmid
Liberty Counsel
Counsel for Defendants Liberty Counsel, Inc. and Rena M. Lindevaldsen

Norman C. Smith
Norman C. Smith, PC
Counsel for Defendant Linda M. Wall

Michael J. Tierney
Wadleigh, Starr & Peters, PLLC
Counsel for Defendant Timothy D. Miller

April 26, 2021

/s/ Diego A. Soto

Diego A. Soto

Counsel for Plaintiff Janet Jenkins