

**IN THE COUNTY COURT OF MADISON COUNTY, MISSISSIPPI**

**DOWNTOWN JACKSON PARTNERS  
and  
DJP MARKETING CENTER, LLC**

**PLAINTIFFS**

**v.**

**NO. CO-2014-1131**

**LINDA BRUNE**

**DEFENDANT**

**DEFENDANTS' MOTION TO COMPEL DISCOVERY**

The Plaintiffs move the Court for an order compelling the Defendant Linda Brune to provide available dates for her deposition upon oral examination and to otherwise cooperate in providing discovery. In support of their Motion the Plaintiffs submit the following:

The Plaintiffs are seeking to take the deposition of the Defendant Linda Brune, and to have her produce documents at her deposition. Recently, counsel for the Plaintiffs received a letter, a copy of which is attached as an exhibit, from Robert Shuler Smith, Esq., in which he claims to be acting as Ms. Brune's attorney. Mr. Smith is the District Attorney for the Seventh Circuit Court District (Hinds County). Mr. Smith's letter states that Ms. Brune "will not be available for depositions or any other matter related to the civil dispute in the above referenced [*Downtown Jackson Partners v. Linda Brune*] until she has retained counsel to respond to numerous requests by DJP." Mr. Smith further states that Ms. Brune "will request the Court to hold any civil matter in abeyance until the disposition of the criminal matter." Notably, the Court Administrator has scheduled a jury trial in this case to begin on December 5, 2016. No attorney has entered an appearance as Ms. Brune's counsel.

Accordingly, the Plaintiffs move the Court to enter an order compelling the Defendant Linda Brune to provide counsel for the Plaintiffs with available dates for her deposition upon oral examination, and further order her to otherwise cooperate with the Plaintiffs in providing any requested discovery. The Plaintiffs further move the Court to order Robert Shuler Smith, Esq. to curtail his participation as an attorney for the Defendant in the instant civil matter until he enters his appearance as counsel.

Respectfully submitted, this the 29<sup>th</sup> day of June, 2016.

**DOWNTOWN JACKSON PARTNERS  
and  
DJP MARKETING CENTER, LLC  
PLAINTIFFS**

By: /s/Samuel L. Begley  
Samuel L. Begley

**OF COUNSEL:**

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**CERTIFICATE OF SERVICE**

I certify that on this day I electronically filed the foregoing pleading with the Clerk of the Court using the MEC system

I further certify that I served the same via U.S. Mail and electronic mail on the following:

Linda Brune  
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This the 29th day of June, 2016.

*s/Samuel L. Begley*  
Samuel Begley