



AlaFile E-Notice

01-CV-2012-903414.00

Judge: DONALD E. BLANKENSHIP

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NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

SARAH EDWARDS V. GIRL SCOUTS OF NORTH-CENTRAL ALABAMA INC.
01-CV-2012-903414.00

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**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
BIRMINGHAM DIVISION**

EDWARDS SARAH,)
Plaintiff,)
)
V.) Case No.: CV-2012-903414.00
)
GIRL SCOUTS OF NORTH-CENTRAL)
ALABAMA INC.,)
Defendant.)

ORDER

This matter comes before the Court upon a Petition for Pre-Suit Discovery, pursuant to Rule 27 of the Ala. R. Civ. P., a Motion to Reinstate, a Motion to Dismiss and the Respondent’s Motion for Protective Order. The Respondent also contends that it is due immediate reimbursement for its duplication of documents per the Petitioner’s Discovery Requests.

After due consideration, including the submissions on file, the moving papers of the parties and the arguments of able Counsel, it is therefore ORDERED, ADJUDGED and DECREED as follows:

1. This Court’s previous Order, which dismissed this matter, without prejudice, for lack of service, is hereby VACATED, SET ASIDE and held for naught. The Clerk of the Court is hereby ORDERED and DIRECTED to return this matter to the Court’s active trial docket.
2. The Respondent’s Motion to Dismiss is DENIED.
3. The Petitioner’s Motion to Compel is hereby GRANTED, and the Respondent is hereby allowed ten (10) days, from the date of this Order, to respond to any and all of the Petitioner’s outstanding discovery requests; however, any such response that the Respondent deems privileged shall be submitted, under seal, to this Court for in camera review, before relinquishing same to the Petitioner. The Court will determine, at that time, whether privilege applies to the request. The Respondent shall include with such sealed information, an explanation as to why that information is considered privileged.
4. The Respondent’s Motion for Protective Order is hereby DENIED, based on the Court’s in camera inspection alluded to above.

5. The Respondent shall be entitled to be reimbursed for copying documents per the Petitioner's discovery requests. However, the rate per copy is hereby set at eleven and one-half cents (\$.11.5) per page. The Respondent may request such reimbursement at the end of this litigation (see generally, *In Re Dickinson v. Alabama Home Mortgage Company, Inc., et al.* 840 So. 2d 147 (Ala. 2002)). Since the information requested should be readily kept by the Respondent for review by its members on a regular basis, as set out in *Code of Alabama, 1975 §10A-3-2.32*, then the Respondent will not be reimbursed for paying employees, or others, to make the requested copies.

DONE this 29th day of April, 2013.

/s/ DONALD E. BLANKENSHIP
CIRCUIT JUDGE