TENANT’S MOTION TO COMPEL DISCOVERY

COMMONWEALTH OF MASSACHUSETTS TRIAL COURT

|  |  |
| --- | --- |
| {{ trial\_court.address.county }}, ss | {{ trial\_court }}  Docket number: |
| {{ users }}  {{ users.as\_noun("Tenant") }} / {{ users.as\_noun("Plaintiff") }} | **TENANT’S MOTION FOR ORDER COMPELLING DISCOVERY** |
| **vs.** |  |
| {{ other\_parties }}  {{ other\_parties.as\_noun("Landlord") }} / {{ other\_parties.as\_noun("Defendant") }} |  |

THE TENANT-PLAINTIFF SEEKS ENFORCEMENT OF DISCOVERY UNDER MASS. R. CIV. P. 37. IN SUPPORT, THE TENANT STATES:

1. On \_\_\_\_\_\_\_\_\_\_\_(date), the Tenant served the Landlord with a Request for Discovery.

2. The Landlord (check all boxes that apply):

☐ Failed to respond to the Tenant’s interrogatories within 45 days of receiving my request.

☐ Failed to respond to the Tenant’s document requests within 30 days of receiving the Tenant’s request, and/or within 45 days of the service of the summons and complaint.

☐ Failed to answer questions fully.

☐ Failed to give the Tenant all of the documents requested.

☐ Objected improperly to some or all of the Tenant’s requests. A copy of the Landlord’s responses is attached.

3. Accordingly, the Tenant requests that the Court enter an order that the Landlord provide complete responses and missing documents within thirty (30) days, and that should the Landlord fail to do so, judgment may enter against the Landlord pursuant Mass. Rule of Civil Procedure 37(b)(2)(C).

4. *Notice to Landlord*: This is the Tenant’s final request for you to respond to interrogatories. After 40 days, the Tenant will be entitled to request entry of final judgment pursuant to Mass. Rule of Civil Procedure 33(a)(4).

5. {% if users | length > 1 %}We{% else %}I{% endif %} hereby certify that a copy of the above document was provided to the Landlord or to their attorney on \_\_\_\_\_\_\_\_\_\_ (date) as follows:

☐ By hand ☐ By U.S. mail ☐ By email

{%p if person\_answering == "attorney" and representation\_type == "entering\_appearance" %}

## Signature of Attorney

Respectfully submitted,

{{ users }}, {{ users.as\_noun("Plaintiff") }}

By their attorney,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

{{ users[0].attorney }}

{{ users[0].attorney.organization }}

{{ users[0].attorney.address.block() }}

{{ users[0].attorney.phone\_numbers() }}

{{ users[0].attorney.email }}

{%p else %}

{%p for user in users %}

## Signature of Tenant

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

{{ user.name.full() }}

{% if user.mailing\_address == user.address %}{{ user.mailing\_address.block() }}{% else %}{{ user.address.block() }}

Mailing address:{{ user.mailing\_address.on\_one\_line() }}{% endif %}

{%p if user.mobile\_numbers() %}

{{ user.mobile\_numbers() }}

{%p else %}

{{ user.phone\_numbers() }}

{%p endif %}

{{ user.email }}

{%p endfor %}

{%p endif %}