{% if not person\_answering == "attorney" and not representation\_type == "entering\_appearance" %}TENANT’S {% endif %}MOTION TO COMPEL DISCOVERY

COMMONWEALTH OF MASSACHUSETTS TRIAL COURT

|  |  |
| --- | --- |
| {{ trial\_court.address.county }}, ss  Trial Date: | {{ trial\_court }}  Docket number: |
| {{ users }}  {{ users.as\_noun("Tenant") }} / {{ users.as\_noun("Plaintiff") }} | **{% if not person\_answering == "attorney" and not representation\_type == "entering\_appearance" %}TENANT’S {% endif %}MOTION TO ENFORCE OR COMPEL DISCOVERY** |
| **vs.** |  |
| {{ other\_parties }}  {{ other\_parties.as\_noun("Landlord") }} / {{ other\_parties.as\_noun("Defendant") }} |  |

To the Clerk: Please schedule this motion for a hearing. The Tenant seeks enforcement of Discovery under Uniform Summary Process Rule 7(d). In support, the Tenant states:

1. On \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(date), the Tenant filed with the Court and delivered or mailed or emailed (circle which one) to the landlord a Request for Discovery.

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

☐ has failed to answer any questions.

☐ has failed to give me any documents requested.

☐ has failed to answer questions fully.

☐ has failed to give me all of the documents requested.

☐ objected to certain discovery requests and I disagree with the objection.

3. Accordingly, Tenant requests that the Court enter an order (check boxes which apply):

☐ Compelling Landlord to completely answer and respond to Discovery no later than 1 week from the hearing on this motion, and continuing the trial (or pre-trial if jury trial requested) until at least 1 week after the Tenant receives responses. USPR 7(e).

☐ Entering Judgment in Tenant’s favor.

☐ Prohibiting Landlord from introducing evidence opposing Tenant’s claims.

☐ Granting the Tenant any other relief that may be just and necessary.

4. I hereby certify that I ☐ delivered / ☐ emailed (check which one) a copy of this Discovery Motion to my landlord or to his/her lawyer on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date).

{%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 %}

## Signature of Tenant

Respectfully submitted,

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

{{ users[0].name.full() }}

{% if users[0].mailing\_address == users[0].address %}{{ users[0].mailing\_address.block() }}{% else %}{{ users[0].address.block() }}

Mailing address:{{ users[0].mailing\_address.on\_one\_line() }}{% endif %}{% if users[0].mobile\_numbers() %}

{{ users[0].mobile\_numbers() }}{% else %}{{ users[0].phone\_numbers() }}{% endif %}  
{{ users[0].email }}

{%p endif %}