

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JOHN W. FERRON,	)	Case No. 2:06-cv-322
	)	
Plaintiff,	)	JUDGE FROST
	)	
vs.	)	Magistrate Judge Abel
	)	
VC E-COMMERCE SOLUTIONS, INC., et al.	)	
	)	
Defendants.	)	

**AMENDED MOTION FOR LEAVE TO PROPOUND  
TO PLAINTIFF ADDITIONAL INTERROGATORIES  
(Correcting Motion Filed January 10, 2007)**

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Now comes the Defendant, **VC E-COMMERCE SOLUTIONS, INC.**, by and through counsel and pursuant to Federal Rule of Civil Procedure 33, and requests of this Honorable Court leave to serve additional Interrogatories to Plaintiff, John W. Ferron.

Defendant propounded an initial set of discovery including Interrogatories and Request for Production of Documents on January 5, 2007. Defendant VC E-COMMERCE SOLUTIONS, INC. seeks leave of this court to propound additional Interrogatories due to the complexity of this case.

In his First Amended Complaint, Plaintiff alleges violations of the Consumer Sales Practices Act and Ohio Administrative Code. Plaintiff has provided thousands of emails which Plaintiff claims may be violative of the Consumer Sales Practices Act. These will have to be examined by Defendant, and specific questions may need to be asked regarding these emails. Defendant also requests the Court to allow additional Interrogatories such that Defendant may fully investigate all the potential affirmative defenses applicable to this matter. Because of the complexity of this case, additional Interrogatories would help narrow the issues in the case, and thus would serve judicial economy.

In a manner consistent with Federal Rule of Civil Procedure 26 (B) 2, the Interrogatories will not be unreasonably cumulative or duplicative, and the information is not obtainable from other sources. The additional Interrogatories are not meant to be a means of harassment, but are entirely necessary due to the nature and complexity of the issues in this case.

WHEREFORE, Defendant VC E-COMMERCE SOLUTIONS, INC., request of this Honorable Court leave to propound additional Interrogatories to Plaintiff, John W. Ferron.

Respectfully Submitted,

**SUTTER, O'CONNELL & FARCHIONE**

/s/ Christina J. Marshall  
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Attorney for Defendants,  
VC E-Commerce Solutions, Inc. and  
Defendant OplnRealBig.com, LLC

**CERTIFICATE OF SERVICE**

A copy of the foregoing was via the Court's ECF Filing System on this 11<sup>TH</sup> day of  
January 2007 upon:

Lisa A. Wafer, Esq.  
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*Attorney for Plaintiff*

/s/ Christina J. Marshall  
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