

IN THE COURT OF COMMON PLEAS

CUYAHOGA COUNTY, OHIO

JOHN M. SEELIE, et al.

Plaintiffs

vs.

CNA INSURANCE COMPANY

Defendant

CASE NO.: 415204

JUDGE: John D. Sutula

**PHYSICIAN'S OBJECTION
TO SUBPOENA FOR
PRODUCTION OF DOCUMENTS**

NOW COMES Duret Smith, M.D., in propria persona, who having received a subpoena duces tecum on or about August 6, 2001, under the above caption, interposes a written objection to production under the provisions of Ohio Rule of Civil Procedure 45(C)(2)(b), which reads as follows:

Subject to division (D)(2) of this rule, a person commanded to produce under divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule may, within fourteen days after service of the subpoena or before the time specified for compliance if such time is less than fourteen days after service, serve upon the party or attorney designated in the subpoena written objections to production. If objection is made, the party serving the subpoena shall not be entitled to production except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena, upon notice to the person commanded to produce, may move at any time for an order to compel the production. An order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the production commanded.



In accordance with this rule, this physician does not intend to comply with the subpoena until the physician receives and Order directly from the Court.

Duret Smith, M.D.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Objection to Subpoena for Production of Documents was sent via facsimile as well as mailed by ordinary U.S. Mail on **August 7, 2001** to the following:

Attorney for Plaintiff:

Robert V. Housel, Esq.
55 Public Sq., Suite 1310
Cleveland, **OH** 44113
Fax No.: 216-363-1433

Duret Smith, M.D.
In Propria Persona