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April 16, 2014

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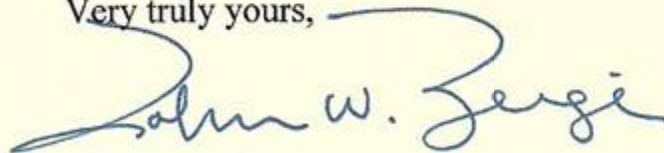
Re: Libertarian Party of Ohio, et al. v. Husted, et al.
United States District Court, Southern District of Ohio, Eastern Division
Case No. 2:13-cv-00953

Dear Mr. Brown:

I enclose the following:

Intervening Defendant Gregory Felsoci's Answers and
Objections to Plaintiffs' First Set of Interrogatories to Felsoci

Very truly yours,



John W. Zeiger

Enclosure

cc: Mark Kafantaris, Esq. (w/enclosure)
Bridget C. Coontz, Esq. (w/enclosure)
Kristopher J. Armstrong, Esq. (w/enclosure)
Erin Butcher-Lyden, Esq. (w/enclosure)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

EASTERN DIVISION

LIBERTARIAN PARTY OF OHIO, et al,	:	Case No. 2:13-cv-00953
	:	
Plaintiffs,	:	Judge Watson
	:	
-vs-	:	Magistrate Judge Kemp
	:	
JON HUSTED, in his Official Capacity as	:	
Ohio Secretary of State,	:	
	:	
Defendant,	:	
and	:	
	:	
STATE OF OHIO, et al.,	:	
	:	
Intervenors-Defendants.	:	

**INTERVENING DEFENDANT GREGORY FELSOCI'S
ANSWERS AND OBJECTIONS TO PLAINTIFFS' FIRST SET OF
INTERROGATORIES TO FELSOCI**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and applicable law, Intervening Defendant Gregory Felsoci provides the following responses to Plaintiffs' First Set of Interrogatories.

INTERROGATORY NO. 1:

INTERROGATORY NO. 1: Did you receive any money in any form from Mr. John Zeiger to file your administrative protest against Charles Earl with the Ohio Secretary of State?

ANSWER:

Objection. This interrogatory is improper and objectionable. First, it was served for the purpose of harassment, annoyance, and embarrassment in violation of Rule 11 of the Federal Rules of Civil Procedure. Second, Plaintiffs and their counsel lack any good faith factual basis for their scandalous suggestion – in the interrogatory itself and in other filings with this Court and the Sixth Circuit Court of Appeals – that Mr. Felsoci received unlawful

maintenance in the form of money from his counsel to file the administrative protest against the candidacy of Charles Earl with the Ohio Secretary of State. This not only violates Rule 11, but also counsel's ethical obligation under Rule 3.1 of the Ohio Rules of Professional Conduct. Third, this interrogatory is not relevant to Plaintiffs' pending Second Amended Complaint or any defense to that operative pleading; nor is it reasonably calculated to lead to the discovery of admissible evidence. Fourth, this interrogatory is served for the improper purpose of attempting to supplement the record for Plaintiffs' pre-existing Sixth Circuit appeal after the record at the District Court was closed – even though Plaintiffs' counsel had every opportunity to timely inquire of Mr. Felsoci when he testified at the preliminary injunction hearing but failed to do so. Mr. Felsoci stated these grounds for his objections to this interrogatory at the March 26, 2014 conference with the Court and in Mr. Felsoci's motion for protective order filed March 25, 2014, but Plaintiffs and their counsel have nonetheless elected to stand on this discovery request no matter how inappropriate and have elected not to withdraw it. Subject to and without waiving these objections, the answer is no.

INTERROGATORY NO. 2: Did you receive any money in any form from the law firm of Zeiger, Tigges & Little to file your administrative protest against Charles Earl with the Ohio Secretary of State?

ANSWER: Objection. This interrogatory is improper and objectionable. First, it was served for the purpose of harassment, annoyance, and embarrassment in violation of Rule 11 of the Federal Rules of Civil Procedure. Second, Plaintiffs and their counsel lack any good faith factual basis for their scandalous suggestion – in the interrogatory itself and in other filings with this Court and the Sixth Circuit Court of Appeals – that Mr. Felsoci received unlawful

maintenance in the form of money from his counsel to file the administrative protest against the candidacy of Charles Earl with the Ohio Secretary of State. This not only violates Rule 11, but also counsel's ethical obligation under Rule 3.1 of the Ohio Rules of Professional Conduct. Third, this interrogatory is not relevant to Plaintiffs' pending Second Amended Complaint or any defense to that operative pleading; nor is it reasonably calculated to lead to the discovery of admissible evidence. Fourth, this interrogatory is served for the improper purpose of attempting to supplement the record for Plaintiffs' pre-existing Sixth Circuit appeal after the record at the District Court was closed – even though Plaintiffs' counsel had every opportunity to timely inquire of Mr. Felsoci when he testified at the preliminary injunction hearing but failed to do so. Mr. Felsoci stated these grounds for his objections to this interrogatory at the March 26, 2014 conference with the Court and in Mr. Felsoci's motion for protective order filed March 25, 2014, but Plaintiffs and their counsel have nonetheless elected to stand on this discovery request no matter how inappropriate and have elected not to withdraw it. Subject to and without waiving these objections, the answer is no.

INTERROGATORY NO. 3: Did you receive any money in any form from John Musca to file your administrative protest against Charles Earl with the Ohio Secretary of State?

ANSWER: Objection. This interrogatory is improper and objectionable. First, it was served for the purpose of harassment, annoyance, and embarrassment in violation of Rule 11 of the Federal Rules of Civil Procedure. Second, Plaintiffs and their counsel lack any good faith factual basis for their scandalous suggestion – in the interrogatory itself and in other filings with this Court and the Sixth Circuit Court of Appeals – that Mr. Felsoci received unlawful maintenance in the form of money from John Musca to file the administrative protest against the

candidacy of Charles Earl with the Ohio Secretary of State. This not only violates Rule 11, but also counsel's ethical obligation under Rule 3.1 of the Ohio Rules of Professional Conduct. Third, this interrogatory is not relevant to Plaintiffs' pending Second Amended Complaint or any defense to that operative pleading; nor is it reasonably calculated to lead to the discovery of admissible evidence. Fourth, this interrogatory is served for the improper purpose of attempting to supplement the record for Plaintiffs' pre-existing Sixth Circuit appeal after the record at the District Court was closed – even though Plaintiffs' counsel had every opportunity to timely inquire of Mr. Felsoci when he testified at the preliminary injunction hearing but failed to do so. Mr. Felsoci stated these grounds for his objections to this interrogatory at the March 26, 2014 conference with the Court and in Mr. Felsoci's motion for protective order filed March 25, 2014, but Plaintiffs and their counsel have nonetheless elected to stand on this discovery request no matter how inappropriate and have elected not to withdraw it. Subject to and without waiving these objections, the answer is no.

INTERROGATORY NO. 4: Did you receive any money in any form from any person, entity or source to file your administrative protest against Charles Earl with the Ohio Secretary?

ANSWER: Objection. This interrogatory is improper and objectionable. First, it was served for the purpose of harassment, annoyance, and embarrassment in violation of Rule 11 of the Federal Rules of Civil Procedure. Second, Plaintiffs and their counsel lack any good faith factual basis for their scandalous suggestion – in the interrogatory itself and in other filings with this Court and the Sixth Circuit Court of Appeals – that Mr. Felsoci received unlawful maintenance in the form of money from any source to file the administrative protest against the candidacy of Charles Earl with the Ohio Secretary of State. This not only violates Rule 11, but

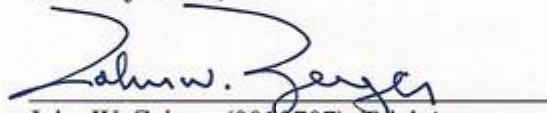
also counsel's ethical obligation under Rule 3.1 of the Ohio Rules of Professional Conduct. Third, this interrogatory is not relevant to Plaintiffs' pending Second Amended Complaint or any defense to that operative pleading; nor is it reasonably calculated to lead to the discovery of admissible evidence. Fourth, this interrogatory is served for the improper purpose of attempting to supplement the record for Plaintiffs' pre-existing Sixth Circuit appeal after the record at the District Court was closed – even though Plaintiffs' counsel had every opportunity to timely inquire of Mr. Felsoci when he testified at the preliminary injunction hearing but failed to do so. Mr. Felsoci stated these grounds for his objections to this interrogatory at the March 26, 2014 conference with the Court and in Mr. Felsoci's motion for protective order filed March 25, 2014, but Plaintiffs and their counsel have nonetheless elected to stand on this discovery request no matter how inappropriate and have elected not to withdraw it. Subject to and without waiving these objections, the answer is no.

INTERROGATORY NO. 5: If the answer to any of Interrogatories No. 1, No. 2, No. 3, or No. 4 is affirmative, please identify the exact source of the money or payment, the date payment was received by you, and the amount of the payment.

ANSWER: Objection. This interrogatory is improper and objectionable. First, it was served for the purpose of harassment, annoyance, and embarrassment in violation of Rule 11 of the Federal Rules of Civil Procedure. Second, Plaintiffs and their counsel lack any good faith factual basis for their scandalous suggestion – in the interrogatory itself and in other filings with this Court and the Sixth Circuit Court of Appeals – that Mr. Felsoci received unlawful maintenance in the form of money from his counsel, John Musca or any other source to file the administrative protest against the candidacy of Charles Earl with the Ohio Secretary of State.

This not only violates Rule 11, but also counsel's ethical obligation under Rule 3.1 of the Ohio Rules of Professional Conduct. Third, this interrogatory is not relevant to Plaintiffs' pending Second Amended Complaint or any defense to that operative pleading; nor is it reasonably calculated to lead to the discovery of admissible evidence. Fourth, this interrogatory is served for the improper purpose of attempting to supplement the record for Plaintiffs' pre-existing Sixth Circuit appeal after the record at the District Court was closed – even though Plaintiffs' counsel had every opportunity to timely inquire of Mr. Felsoci when he testified at the preliminary injunction hearing but failed to do so. Mr. Felsoci stated these grounds for his objections to this interrogatory at the March 26, 2014 conference with the Court and in Mr. Felsoci's motion for protective order filed March 25, 2014, but Plaintiffs and their counsel have nonetheless elected to stand on this discovery request no matter how inappropriate and have elected not to withdraw it. Subject to and without waiving these objections, not applicable.

As to objections,



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CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of April, 2014, the foregoing document was served via first-class U.S. mail, postage prepaid upon each of the following:

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