



Connie Taylor, Clerk of Superior Court
Cobb County, Georgia

IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA

NATHAN WADE,)
)
Plaintiff,)
)
v.) CIVIL ACTION
) FILE NO. 21108166
)
JOYCELYN WADE,)
)
Defendant.)

**ORDER GRANTING DEFENDANT'S MOTION TO COMPEL AND COMPELLING
PLAINTIFF TO PROVIDE DISCOVERY RESPONSES**

THIS MATTER, having come before this Court on Defendant's Motion to Compel Discovery, and the Court having reviewed Defendant's Motion to Compel and the record, it is hereby ORDERED AND ADJUDGED as follows:

1.

On or about November 2, 2021, Plaintiff filed his Complaint for Divorce. On or about November 30, 2021, Defendant filed an Answer and Counterclaim for Divorce.

2.

Defendant served Plaintiff with Defendant's First Continuing Interrogatories to Plaintiff and Defendant's First Request for Production of Documents and Notice

to Produce to Plaintiff (hereinafter Defendant's "Discovery Requests") on November 30, 2021, via electronic mail and US Mail. Plaintiff inadequately responded to Defendant's Discovery Requests on December 27, 2021.

3.

A 6.4(b) Letter, dated January 14, 2022, was sent to Plaintiff requesting more complete answers, however, no further responses were received. Again, and in anticipation of mediation, another letter, dated April 4, 2022, was sent to Plaintiff outlining all discovery deficiencies. To date, no further responses have ever been provided by Plaintiff.

4.

Defendant filed her Motion to Compel Discovery on February 15, 2022, and her Amended Motion to Compel Discovery on February 21, 2023.

5.

Pursuant to U.S.C.R. 6.2, a response shall be filed within thirty (30) days of said Motions being filed. Here, Plaintiff's response would have been due on March 17, 2022 for the initial Motion to Compel, and March 23, 2023 for the Amended Motion to Compel.

6.

Uniform Superior Court Rule 6.2 provides as follows:

"Unless otherwise ordered by the judge or as provided by law, each party opposing a motion shall serve and file a response, reply memorandum, affidavits, or other responsive material not later than 30 days after service of the motion."

U.S.C.R. 6.2

7.

As a matter of law, the Motion is not opposed.

8.

Thus, Defendant's Motion to Compel is hereby GRANTED.

9.

Plaintiff is hereby ORDERED to provide the currently outstanding documents that are set forth below no later than May 8, 2023:

- (i) Lending Club Debt Consolidation Loan ending in 2018: Statements from January 1, 2016 through present;
- (ii) ABA Care account ending in 6664: Statements from January 1, 2016 through present;
- (iii) AES account referenced in DRFA: Statements from January 1, 2016 through present;
- (iv) Home Depot account referenced in DRFA: Statements from January 1, 2016 through present;

- (v) Any and all accounts held with Bank of America: Statements from January 1, 2016 through present.
- (vi) Any and all account held with Wells Fargo: Statements from January 1, 2016 through present.
- (vii) Any and all personal bank accounts: Statements from January 1, 2016 through present;
- (viii) Any and all joint bank accounts referenced in Interrogatories: Statements from January 1, 2016 through present;
- (ix) Wells Fargo IRA Account ending in 0540: Statements from June 30, 2019 through June 30, 2020, and June 1, 2021 through present;
- (x) Transamerica Life Insurance Policy: Statements from January 1, 2016 to present;
- (xi) Marital Residence: Deed, Note, and most recent mortgage statement;
- (xii) Personal Tax Returns: 2016 through 2020, and 2022 when filed;
- (xiii) Pay stubs, or other income statements from 2016 through present;
- (xiv) Full and complete responses to Interrogatories numbered 2(c), 8, 9, 16, 17, 18, 20, 22, and 24; and

(xv) Full and Complete responses to 1-16 of Defendant's Request for Production of Documents to Non-Party Wade, Bradley & Campbell Firm, LLC.

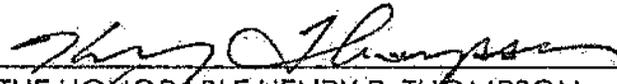
11.

Plaintiff is cautioned that failure to comply with this Order may result in a finding of contempt, attorney's fees, and sanctions.

12.

The issue of attorney's fees relating to Defendant's Motion to Compel is hereby reserved.

This 10th day of May 2023.


THE HONORABLE HENRY R. THOMPSON
JUDGE, SUPERIOR COURT OF COBB COUNTY

Prepared and submitted by,
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