

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX COUNTY

AYER DISTRICT COURT
DOCKET NUMBER 0748CV0568

TROY CAPITAL, LLC, ASSIGNEE OF EASY)
 LOAN CORPORATION, ASSIGNEE OF GE)
 CAPITAL FINANCIAL INC.)
 Plaintiff)
 Vs)
)
)
)
 FRANK P. KARKOTA, JR)
 Defendant)
)
)

DEFENDANT’S REQUEST THAT THE COURT COMPELL DISCOVERY

The Defendant requests that the court order the Massachusetts Board of Bar Overseers (BBO) to produce documents relevant to this case. Both the BBO and the Massachusetts Attorney General have refused the Defendant’s request. The Defendant requests:

1. All correspondence between the BBO and GE CAPITAL FINANCIAL INC.
2. All BBO internal notes, correspondence, memorandum and records regarding the investigation by the BBO of the Defendant’s bankruptcy attorneys as it relates to GE CAPITAL FINANCIAL INC.
3. The audit of the bankruptcy of which GE CAPITAL FINANCIAL INC was a creditor.

Attached exhibits are the complaint filed against the Defendant’s bankruptcy attorneys with the BBO, all written correspondence related to the complaint, and the response from the BBO, including responses by the Defendant’s bankruptcy attorneys. And the refusal from the Massachusetts Attorney General to the Defendant’s request for documents.

The refusal to refuse to provide these documents is invalid as noted: **Rule 34 (c) Persons Not Parties.** This rule does not preclude an independent action against a person not a party for production of documents and things and permission to enter upon land.

The Defendant considers these documents essential to his defense.

Frank P. Karkota, Jr.
Pro Se
17 Cowdry Hill Road
Westford, MA 01886
978 392-0091

January 30, 2008

CERTIFICATE OF SERVICE

I, Frank P. Karkota, Jr. pro se, hereby certify that I have, this January 30, 2008, mailed a copy of the above request for documents, postage prepaid, to the Plaintiff's attorney, Brian Aylward, 5 Essex Green Drive, Peabody, MA 01960

Frank P. Karkota, Jr. Pro Se