

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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ERIC E. HOYLE,

Plaintiff,

v.

FREDERICK DIMOND, ROBERT DIMOND,  
and MOST HOLY FAMILY MONASTERY,

Defendants.

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**MOTION FOR ORDER  
COMPELLING DISCOVERY**

Civil Action No. 08-CV-347C

PLEASE TAKE NOTICE that Defendants Frederick Dimond, Robert Dimond, and Most Holy Family Monastery will move this Court, before the Honorable John T. Curtin, United States District Judge, at the United States Courthouse, 68 Court Street, Buffalo New York 14202, at a date and time to be set by this Court, for an order pursuant to Fed. R. Civ. Proc. Rule 37(a) for an Order compelling Plaintiff Eric E. Hoyle to: **(1)** produce the following: **(i)** Plaintiff's journal in its entirety; **(ii)** Plaintiff's scraps of paper on which he recorded "unpleasant events" while at MHFM; **(iii)** All communications to any Defendant made at Plaintiff's behest, including but not limited to those from embase-exchange@yahoo.com; **(iv)** Plaintiff's post-departure from MHFM fax to law enforcement concerning defendant Brother Michael (Frederick) Dimond's driving habits; **(v)** Printouts or electronically saved versions of the MHFM website, presently in Plaintiff's possession, including any that Plaintiff reviewed prior to entering MHFM; **(vi)** Plaintiff's tax returns from 2005 to present, including all forms and schedules thereto; and **(2)** compelling the continued examination of Plaintiff to these matters.

Dated: March 1, 2011

DUKE, HOLZMAN, PHOTIADIS  
& GRESENS LLP

By: /s/ *Charles C. Ritter, Jr.*

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