

NOTICE OF MOTION TO COMPEL ANSWERS AT DEPOSITION

Sample Only
Use At Your Own Risk



To _____ [name of deponent], _____ [deponent's attorney], attorney of record for _____ [deponent], and to _____ [names of other parties or attorneys on whom copies of deposition notice or subpoena were served]:

PLEASE TAKE NOTICE that at _____ [time], on _____ [date], or as soon after as the matter can be heard, in _____ [Department _____ or as the case may be] of the _____ County Superior Court, _____ [court address], _____ [moving party] will move the court for an order requiring _____ [deponent] to answer certain questions propounded at _____ [his or her] oral deposition that _____ [he or she] refused, without substantial justification, to answer. This motion is made on the grounds that _____ [specify, for example: the questions that _____ (deponent) refused to answer were within the scope of permissible discovery; answers to these questions are essential to the preparation of _____ (moving party's) case. _____ (Deponent's) refusal to answer the questions listed in the attached statement of questions and responses in dispute was without substantial justification]. Pursuant to sections 2025(o) and 2023(b)(1) of the Code of Civil Procedure, _____ [moving party] will also seek monetary sanctions of \$_____ against _____ [deponent and his or her attorney or as the case may be] for reasonable attorney fees and costs incurred in bringing this motion. Such sanctions are sought on the ground that there is not substantial justification for _____ [deponent's] conduct in refusing to answer the questions posed at deposition.

The motion will be based on this notice of motion, the attached memorandum of points and authorities, the declaration of _____ [name of witness or attorney or as the case may be], the Statement of Questions and Responses in Dispute, the transcript of _____ [deponent's] deposition, the record and files of this case, and any further oral or documentary evidence introduced at the hearing of this motion.

Date: _____
_____ [Plaintiff's name]
Plaintiff *In Pro Per*

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