#### STATE OF VERMONT

SUPERIOR COURT	)	CIVIL DIVISION	
Windsor Unit	)	Docket No. 22-CV-00493	
Gary Alibozek Plaintiff,	)	PR	Exhibit  G  B File Nos. 102-2019, 011-2020
Norman E. Watts and Watts Law Firm, P.C.	,		

### Plaintiff's Motion for a Protective Order

Now comes Gary Alibozek, by and through his attorney, Charlotte Dennett, and moves this court to grant a Protective Order, pursuant to V.R.C.P. 26 (c) in response to Defendant's Subpoena dated 5/18/23 for "all communications, including but not limited to emails, text messages...and other documents to/from Gary Alibozek, Sharyn Alibozek, and/or Charlotte Dennett originally sent to Navah C. Spero, Esq. Disciplinary Counsel in the matter In re; Norman Watts, Esq. PRB File No. 102-219, 011-2020.

Plaintiff seeks to protect the following documents on the basis of attorney's work product.<sup>1</sup>

 <sup>&</sup>lt;sup>1</sup>[Apologies for this unfixable formatting problem:]
 See Ireh v. Nassau Univ. Med. Ctr., No. CV06-09
 LDW/AKT, 2008 WL 4283344, at \*3 (E.D.N.Y. Sept. 17, 2008), aff'd, 371 F. App'x 180 (2d Cir. 2010) ("As a general rule, a party lacks standing to move to quash or modify a subpoena directed at a non-party. If, however, a party claims a 'personal right or privilege regarding the production ... sought by a subpoena directed to a nonparty, the party has standing to move to quash' the subpoena") (citations omitted); see also Union Square Ltd. v. Mr. Bar-B-Q Prod. LLC, No. 21-CV-11032 (VSB), 2023 WL 4187725, at \*2

- 1. Email from Gary Alibozek [hereinafter GA] to Navah Spero [hereinafter NS] dated 5/7/20;
- 2. Email from Sharyn Alibozek [SA] to NS dated 5/29/21;
- 3. Email from GA to NS, dated 8/18/21;
- 4. Email from GA to NS dated 8/23/21;
- 5. Email from GA to NS dated 9/7/21;
- 6. Email from GA to NS dated 11/15/21;
- 7. Email from GA to NS dated 1/11/23;
- 8. Email from Charlotte Dennett [CD] to NS dated 2/14/22;
- 9. Email from CD to NS dated 3/18/22;
- 10. Memo from CD to NS [No. 61a] dated 11/19/22;
- 11. Email from CD to NS dated 3/7/23;
- 12. Email from CD to NS dated 5/15/23;
- 13. Email from Charlotte Dennett CD to GA dated 6/19/23;
- 14. Email from CD to Alyssa Bachand dated 6/1/23;
- 15. Email from CD to NS dated 6/14/23

WHEREFORE, Plaintiff respectfully requests the court to grant his Motion for Protective Order.

<sup>(</sup>S.D.N.Y. June 26, 2023) ("Although Respondent may not challenge the third-party subpoena 'on grounds of relevance or burden, a subpoena served on a non-party,' may be challenged by a party on the basis of privilege") (citation omitted).

# DATED in Burlington this 7th day of July 2023

Charlotte Dennett, attorney for the Plaintiff

### STATE OF VERMONT

SUPERIOR COURT	)	CIVIL DIVISION
Windsor Unit	)	Docket No. 22-CV-00493
Gary Alibozek	)	
Plaintiff,	)	
.V.	) )	
Norman E. Watts and Watts Law Firm, P.C.  Defendants	<b>)</b>	

## Plaintiff's Amended Motion for a Protective Order

Now comes Gary Alibozek, by and through his attorney, Charlotte Dennett, and moves this court to grant a Protective Order, pursuant to V.R.C.P. 26 (c) in response to Defendant's Subpoena dated 5/18/23 for "all communications, including but not limited to emails, text messages...and other documents to/from Gary Alibozek, Sharyn Alibozek, and/or Charlotte Dennett originally sent to Navah C. Spero, Esq. Disciplinary Counsel in the matter In re; Norman Watts, Esq. PRB File No. 102-219, 011-2020.

Plaintiff seeks to protect the following documents on the basis of attorney's work product:

Description

DATE

**Document** 

1.	Email from Sharyn Alibozek [SA] to NS dated 5/29/21;	Deposition discussion
2.	Email from GA to NS, dated 8/18/21;	Litigation strategy
3.	Email from GA to NS dated 8/23/21;	Analysis of Alibozek v GE
4.	Email from GA to NS dated 9/7/21;	Analysis of Alibozek v GE
5.	Email from GA to NS dated 11/15/21;	Conflict of Interest
6.	Emails from GA to NS dated 1/11/23;	PRB analysis

7. Email from Dennett [CD] to NS dated 2/14/22; Herb Ogden, expert

8. Email from CD to NS dated 3/18/22;

Insurance matters

9. Memo from CD to NS dated 11/19/21

Conflict of interest

10. Email from CD to Alyssa Bachand dated 3/7/23;

Count II of complaint

11. Email from CD to NS dated 5/15/23;

Analysis of NS motion

12. Email from CD to GA dated 6/19/23;

email production

13. Email from CD to Alyssa Bachand dated 6/1/23;

work product

14. Email from CD to NS dated 6/14/23

post-trial observations

WHEREFORE, Plaintiff respectfully requests the court to grant his Motion for Protective Order.

DATED in Burlington this 17th day of July 2023

Charlotte Dennett, attorney for the Plaintiff