

UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF ILLINOIS  
 PEORIA DIVISION

KAY E. ROYSTER,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 06-1174
	)	
BOARD OF EDUCATION OF THE CITY OF	)	
PEORIA, SCHOOL DISTRICT NO. 150;	)	
AARON SCHOCK, former President of the	)	
Board of Education, individually; VINCENT	)	
WIELAND, former President of the Board of	)	
Education, individually; SEAN MATHESON,	)	
Vice President of the Board of Education,	)	
individually; MARY SPANGLER, member of	)	
the Board of Education,	)	
	)	
Defendants.	)	

**DEFENDANTS' MOTION TO COMPEL**

COME NOW the defendants, BOARD OF EDUCATION OF THE CITY OF PEORIA, SCHOOL DISTRICT NO. 150; AARON SCHOCK, former President of the Board of Education, individually; VINCENT WIELAND, former President of the Board of Education, individually; SEAN MATHESON, (former) Vice President of the Board of Education, individually; MARY SPANGLER, member of the Board of Education, by and through their attorneys, HINSHAW & CULBERTSON LLP, and in support of their Motion to Compel pursuant to Rule 37(a)(2)(A) and (B), the defendants state as follows:

1. Plaintiff has failed to answer defendants' interrogatories and requests for production served on December 5, 2006.

2. Defendants' counsel has undertaken good faith efforts to try to obtain discovery responses and documents from plaintiff's counsel but such efforts have proved unsuccessful.

3. Plaintiff's discovery misconduct has unduly delayed and interfered with the scheduling of plaintiff's deposition and other necessary discovery.

WHEREFORE, defendants, BOARD OF EDUCATION OF THE CITY OF PEORIA, SCHOOL DISTRICT NO. 150; AARON SCHOCK, former President of the Board of Education, individually; VINCENT WIELAND, former President of the Board of Education, individually; SEAN MATHESON, (former) Vice President of the Board of Education, individually; MARY SPANGLER, member of the Board of Education, request that this Court grant their Motion to Compel and enter an order requiring plaintiff to immediately produce the documents referenced in her initial disclosures by a date specified by the Court and to serve her answers to defendants' interrogatories and responses to defendants' requests for production, along with producing her responsive documents by a date certain, and additionally award defendants their costs and attorneys' fees for having to bring this motion in order to obtain plaintiff's compliance with the discovery procedures detailed in the Federal Rules of Civil Procedure.

Respectfully submitted,

BOARD OF EDUCATION OF THE CITY OF  
PEORIA, SCHOOL DISTRICT NO. 150;  
AARON SCHOCK, former President of the  
Board of Education, individually; VINCENT  
WIELAND, former President of the Board of  
Education, individually; SEAN MATHESON,  
(former) Vice President of the Board of  
Education, individually; MARY SPANGLER,  
member of the Board of Education, Defendants

By: HINSHAW & CULBERTSON LLP

s/ L. Lee Smith

L. Lee Smith

Ambrose V. McCall

One of Its Attorneys

HINSHAW & CULBERTSON LLP

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309-674-1025

**CERTIFICATION**

I, L. Lee Smith, certify that I conferred in good faith with Terence Moran, counsel for the plaintiff by telephone, on or about February 14, 2007, in effort to secure the requested discovery responses without court action.

s/L. Lee Smith

**CERTIFICATE OF SERVICE**

I hereby certify that on **February 14, 2007**, I electronically filed this **DEFENDANTS' MOTION TO COMPEL** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Terence J. Moran  
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