

IN THE CIRCUIT COURT OF INDEPENDENCE COUNTY, ARKANSAS

LUNDEN ROBERTS	PLAINTIFF	Case No: 32DR-19-187
vs.		
HUNTER BIDEN	DEFENDANT	

SECOND INTERLOCUTORY ORDER
AND ORDER REGULATING DISCOVERY

BASED ON the pleadings and statements of counsel the court finds:

1. That a hearing was held in this matter on May 1, 2023. Both parties and their attorneys appeared before the court.
2. That the court finds that the protective order and the parties' sealing of certain information is being incorrectly interpreted to justify unwarranted redactions. The court clarifies that only documents containing confidential financial information (CFI) and pleadings or filings which cite specific information found in the CFI documents are to be sealed and redacted. In such event, only the specific portions of the documents containing the CFI or documents citing specific portions of CFI are to be redacted. Additionally, only documents filed with the clerk of the court containing CFI are sealed. Statements made in open court about the subject matter and content of CFI are not sealed.
3. That the court finds that the defendant shall re-file the following pleadings and all attachments that are not CFI in an unredacted format within three days from the date this Order is filed with the clerk of the court:

- A. Motion to Exclude and Disqualify Garrett Ziegler as Expert Witness, Motion for Sanctions, and Petition for Temporary Restraining Order (file marked April 20, 2021);
- B. Objection To Proposed Interlocutory Order (file marked April 28, 2023); and
- C. Response to Motion for Contempt, to Compel Discovery, and to Modify Scheduling Order and Brief (file marked April 28, 2023).

4. That the court has been generous in granting the defendant's request for protective orders. The court admonishes counsel for the defendant to not abuse the use of redactions and sealing in pleadings and other documents filed with the court.

5. That both parties have sought contempt findings from the court. The claims for contempt have not been properly pled. The court orders that any claims for contempt or pleadings alleging contempt be restarted or refiled as of the date of this hearing. If a finding of contempt is sought, it shall include the following information in a proper pleading filed by the requesting party:

- A. A motion or petition containing detailed information about which order the other party is alleged to have violated and the conduct by the other party which is alleged to have violated the order.
- B. Whether the motion or petition is seeking criminal or civil sanctions (or both), the type of punishment sought, and the range of punishment available to the court to impose;
- C. A proposed order to appear and show cause as to why the party should not be held in contempt which mirrors the motion or petition for contempt including the details of the order in which the party allegedly violated, the conduct which constituted the alleged violation; the punishment sought; and the range of punishment available for the court to impose; and

- D. All motions or petitions and orders related to contempt shall be filed within ten (10) days before any hearing is held on contempt.

The court orders that any contempt pleadings contain great specificity and detail to apprise the court and the other party of all aspects of the contempt action.

6. That the court exercises its inherent authority and discretion to regulate discovery in this case by specifically making the orders and provisions of as set forth in this order. As to these orders, the court will not accept cryptic or vague answers to discovery and may treat such answers as a failure to answer.

7. That the court finds that the defendant has provided discovery documents which have been shared with the plaintiff's expert witness and that the defendant is not, and shall not in the future, withhold discovery documents due to his disagreement with Garrett Ziegler viewing discovery documents. The court further finds that Garrett Ziegler has executed the non-disclosure agreement and an affidavit attesting to the fact that he is bound to this court's protective orders regarding CFI.

8. That the court finds that the defendant has provided incomplete discovery responses. The defendant cannot simply provide his tax returns and bank records and invite the plaintiff to determine what his answers are or would be from the documents. The defendant shall fully answer the following discovery requests:

- A. Interrogatories 6, 7, 15, 22, 23, 24, 25, 26, 16 (second Int. 16, p. 25), 17 (second Int. 17, p. 27), 23 (second Int. 23, p. 30), 28, and 30.
- B. Request for Production of Documents 8, 18, 19, 36.

This information shall be provided to the opposing party no later than 5:00 p.m. CST on May 12, 2023.

9. That the court also finds that some of the plaintiff's answers are incomplete. The plaintiff shall provide the following to the defendant:

A. Interrogatories 5, 21, 31, 32, 33, and 18; and

B. Request for Production of Documents 5, 6, 9, 11, 19 (release by Plaintiff for Defendant to obtain credit check), 28, 29, 30, 31, 32, 33, 34, and 40.

This information shall be provided to the opposing party no later than 5:00 p.m. CST on May 12, 2023.

10. That both parties shall provide to the other party text messages or emails in which a party is mentioning the other party's name, excluding communications with or by counsel for the parties. This information shall be provided to the opposing party no later than 5:00 p.m. CST on May 12, 2023.

11. That both parties shall provide the following documents to the other party:

- a. 2022 tax returns or all documents supporting or relating the tax returns;
- b. Tax returns for five years prior to the date this case was opened; and
- c. Bank records of all accounts for the past five years from the date this case was opened through the current statement.

This information shall be provided to the opposing party no later than 5:00 p.m. CST on May 12, 2023.

12. That the plaintiff shall provide the following documents or information to the defendant:

- A. List of gifts given to her from her mother or father for five years before this case was reopened until the present day;

- B. List of all gifts given to her by Rob Roberts Gun Works or five years before this case was reopened until the present day;
- C. Loan number of her motor vehicle at First Community Bank;
- D. A closing statement from the title company, if she has it in her possession, or the name of the closing company if she does not possess the document.

This information shall be provided to the opposing party no later than 5:00 p.m. CST on May 12, 2023.

13. That the parties are given notice that any future motions to compel discovery will be reviewed by the court *in camera*. If the court finds, after reviewing the motion and accompanying discovery documents, that the motion should be granted, the court may grant the order to compel discovery without further notice or hearing.

14. That the defendant shall take the deposition of the plaintiff's expert, Garrett Ziegler, on May 22, 2023, at the plaintiff's office in Little Rock, Arkansas. The defendant shall be responsible for obtaining a court reporter for the deposition.

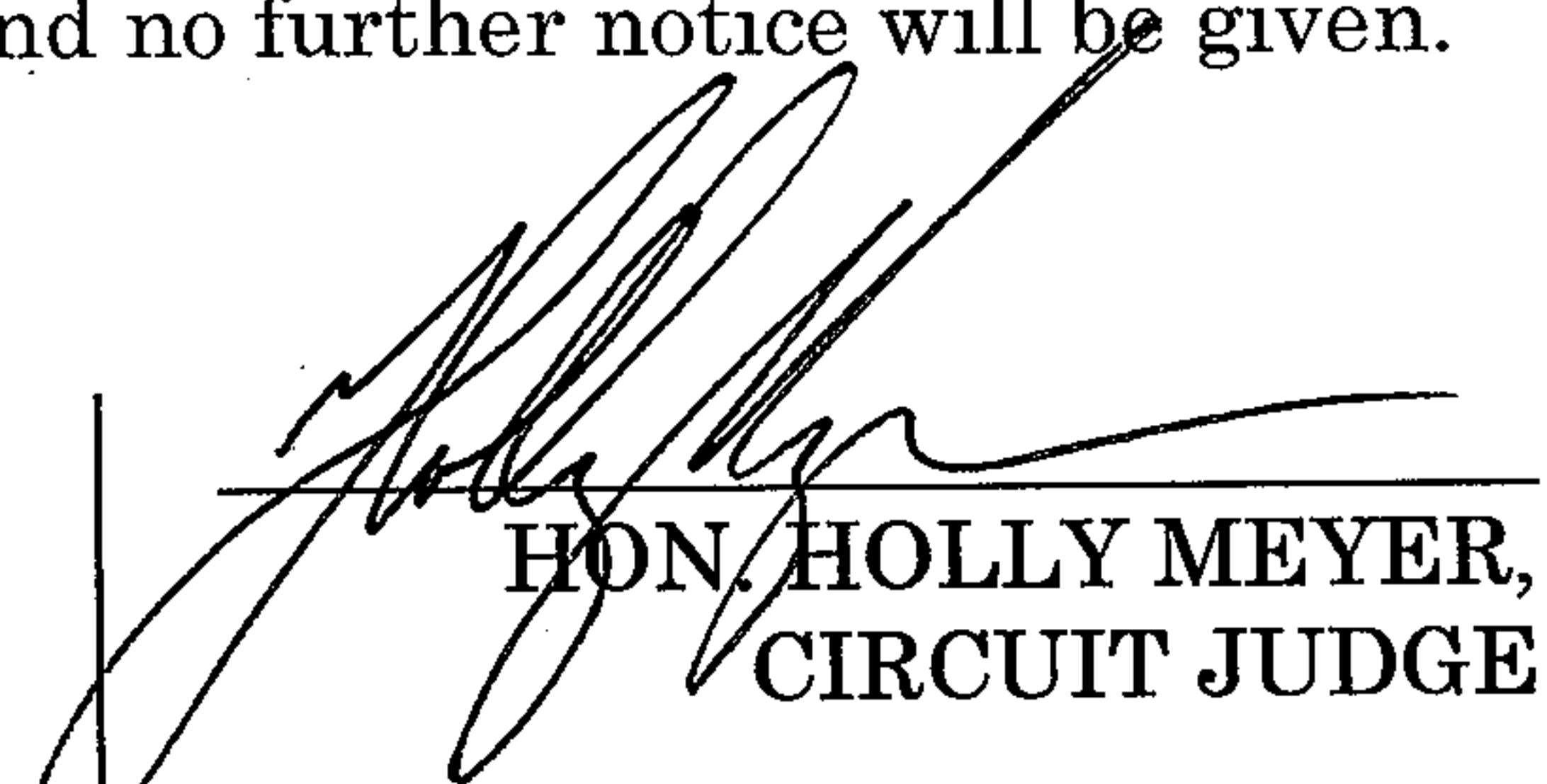
15. That the parties and witnesses shall be deposed from June 13 to June 16, 2023, in Little Rock, Arkansas. The plaintiff shall be responsible for obtaining a court reporter for the defendant and any subpoenaed witnesses. The defendant shall be responsible for obtaining a court reporter for the plaintiff's deposition.

16. That the plaintiff shall re-send her first set of interrogatories to the defendant without the numbering errors.

17. That all discovery shall be conducted and fully answered no later than June 23, 2023.

18. That the court shall take up all pending motions, including the plaintiff's motion for disclosure, on May 23, 2023. All motions to be heard on that date shall be filed within the time allotted by the rules of civil procedure. Both parties shall appear at this hearing and no further notice will be given.

IT IS, BY THE COURT, SO ORDERED.



HON. HOLLY MEYER,
CIRCUIT JUDGE
DATED: 5-16-2023