

2 Firms Each Sanctioned \$500 After Defendant Complains of 'Egregious Discovery Gamesmanship'

A federal judge in Seattle has ordered the law firms of Baker Donelson and Corr Cronin to pay \$500 each for trying to use an apparent misunderstanding as a litigation "weapon," reports the *ABA Journal*.

The judge said the law firms had filed a frivolous motion for partial summary judgment that claimed their opponent, software maker Medstreaming, missed a discovery deadline by responding to a request for admissions by email.

Baker Donelson and Corr Cronin had claimed that a request for admissions that the defendant's software performed improperly was automatically deemed admitted because the response was improperly served via email. Those "admissions," they claimed, entitled the plaintiffs to a ruling on their breach of contract claims.

The judge said the plaintiffs' lawyers had tried "to use as a weapon in this litigation whatever misunderstanding occurred regarding how discovery requests and/or responses would be exchanged."

Read the *ABA Journal* article.