

All of you already know about the flurry of filing of five motions by Kennedy & Han on January 25, 2012 entitled: MOTION TO DISMISS CLAIMS FOR LACK OF SUBJECT MATTER JURISDICTION ..., PLAINTIFF'S MOTION TO DISMISS FOR LACK OF STANDING, PLAINTIFF'S MOTION TO DISMISS FOR FAILURE TO JOIN INDISPENSIBLE PARTY, MOTION TO DISMISS CLAIMS AND FOR JUDGMENT ON THE PLEADINGS BASED ON FAILURE TO PLEAD UNDER RULE 1-009 B, PLAINTIFF'S MOTIONS FOR PARTIAL SUMMARY JUDGMENT AS TO ALL CLAIMS INVOLVING VOTING RIGHTS. See the "Chieftain" article of February 1, 2012 posted at [www.informedcynic.com](http://www.informedcynic.com) which describes the content of these 5 motions.

Now comes two more motions from Kennedy & Han filed February 1, 2012. PLAINTIFF'S MOTION TO STAY DISCOVERY and PLAINTIFF'S MOTION FOR PROTECTIVE ORDER Judge Mitchell had set a schedule for hearings on March 21st, June 21st, and Sept. 28 and urged attorney's to get started with discovery during a status hearing in December 2011. Staying DISCOVERY would delay this counter suit/request for class action even further. The second of the two new filings is really peculiar. Kennedy Han wants protection from Charlie! The following paragraph is taken from the filing.

"WHEREFORE, premises considered, Defendants request that this Court issue a Protective Order, relieving them of any and duties to disclose any information to Plaintiff Wagner under the Cooperative's Bylaws or the Inspection of Public Records Act." As a Trustee for the 5th District and a member of the SEC, Charlie has a right to information. It will be interesting to see the ruling on this one!

All of the seven filings are posted at [www.informedcynic.com](http://www.informedcynic.com). At either \$450 per hour for Mr. Kennedy or \$250 per hour for Mr. Foster, this stack of paper will be very costly to the members who as a reward for being sued by the SEC and its Board of Trustees are going to have to pay for these motions to be heard. Say on the conservative side that each motion took 10 hours to prepare at \$250 an hour that would amount to \$17,500. At \$450, the cost is \$31,500. Remember this is the firm that filed another motion on November 21, 2011 PLAINTIFF'S MOTION TO RECONSIDER ORDER AWARDING ATTORNEY'S FEES. These fees of \$13,000 to the three law firms were ordered by Judge Mitchell to pay the member's lawyers after they won the May 18, 2011 case concerning the implementation of the bylaws voted in by the members at the 2010 Annual Meeting. Our lawyers who won our case have not received payments but the lawyers who fought against us then and now get our money from the SEC.

Do you have a headache yet?