

STATE OF SOUTH CAROLINA)
)
 COUNTY OF SPARTANBURG)
)
 Founders Federal Credit Union)
 Plaintiff)
)
 vs)
 CHARLES B. MIEREK)
)
 Defendants)
)

IN THE COURT OF COMMON PLEAS
 SEVENTH JUDICIAL CIRCUIT

MOTION TO COMPEL

CLERK OF COURT
 SPARTANBURG COUNTY
 2015 JUL -2 PM 1:04
 M. HOPE BLACKLEY

Defendant, Charles B. Mierek, filed with the Plaintiff, through its attorney, interrogatories (copy attached) and requests for production of documents. On July 1, 2015 the Defendant received the Plaintiff's answers.

Regarding the Request for Production of Documents, not even one response contained any useful information not already disclosed¹.

Regarding the filed Interrogatories, of the eleven interrogatories, none provide any information already known.

^{1/} The identified witness, Mr. John Saybolt, has already been identified through an affidavit presented at the last hearing before this Court.

In addition, it clear that the affidavit includes statements which are absolutely false (i.e. perjured lies). Consequently, it is ever more important for the Plaintiff to provide all information known by or available to Mr. Saybolt.

In particular, since this affidavit contains false information, the attesting witness has no credibility. Consequently there is no reason to think that the value proffered by this witness in his other affidavit, which purports to represent the amount the Defendant claims to owe, has any validity whatsoever.

1. The first interrogatory, which discloses the name of a witness already know to the Defendant, utterly fails to provide "the subject matter and information which you believe each such person to have."

2. Again, the second answer fails to disclose the information available to the witness.

3. Interrogatory number three's answer states:)... see attached document production bearing Bates labels ...". However, no documents were attached showing Bates label.

4. No witness or employees are identified.

5. No information is provided.

6. No information is provided.

7. No information is provided.

8. No information is provided.

9. No information is provided.

10. No information is provided.

11. No information is provided.

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Regarding the filed Requests For Documents, of the eight interrogatories, none provides any information already known.

1. No information is provided.

2. No information is provided.

3. No information is provided.

4. No information is provided.

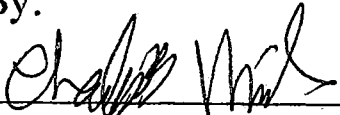
5. No information is provided.

6. No information is provided.

- 7. No information is provided.
- 8. No information is provided.

Consequently, the Defendant requests the Court to order that the Plaintiff fully answer each and every request listed by the Defendant's interrogatories and requests for production of documents.

By:


Mr. Charles B. Mierek
DEFENDANT

SWORN and subscribed to before me this 2nd day of July 2015.


Notary Public for South Carolina

My commission expires: 5-8-2018

Defendant's Mailing Address:

P.O. Box 100
Clifton, S.C. 29324
Tel. 864/579-2000
Email: Mierek@CliftonPower.com

Emailed: Brannon, Kyle A. <KBrannon@nexsenpruet.com>

Stamped Copy To:

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Mr Kyle A. Brannon
NEXSEN AND PRUET
P.O. Box 2426
Columbia, SC 29202

Tel. 803-771-8900

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