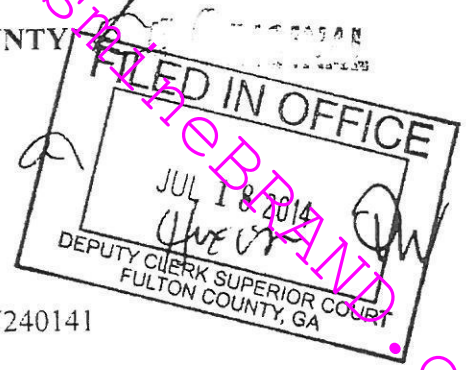


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IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA
FAMILY DIVISION



C.B. BRIDGES,

Petitioner,

and

TAMIKA FULLER,

Respondent.

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CIVIL ACTION
FILE NO.: 2013CV240141

Related Case No. 2013CV236083

RESPONDENT'S MOTION AND BRIEF TO COMPEL DISCOVERY
AND RESPONSE TO PETITIONER'S MOTION FOR PROTECTIVE ORDER

COMES NOW, Respondent, TAMIKA FULLER, and by and through her undersigned counsel of record, moves the Court to enter an order compelling the Petitioner, C.B. BRIDGES, to produce financial information and responses to Respondent's Notice to Produce and Interrogatories, and in support of her Motion shows this Court the following:

1.

On or about June 13, 2014, Respondent's served Petitioner with her *Notice to Produce and Request for Production of Documents and First Continuing Interrogatories*, requesting very basic documents and information related to Petitioner's overall financial situation. See attached Notice to Produce and Interrogatories as Exhibit "A".

2.

On or about July 10, 2014, Petitioner filed his *Notice of Discovery Dispute* with this Court wherein he sought a protective order pursuant to O.C.G.A § 9-11-26(c).

3.

Petitioner's *Notice of Discovery Dispute* incorrectly stated that, "The instant case is an

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action to legitimate the parties' child and to establish child custody and support. This is not a divorce action. *There is no need for extensive financial discovery.*" (Emphasis added)

4.

Petitioner's *Notice of Discovery Dispute* went on to request that he only be required to produce his 2014 year-to-date paystubs, 2013 personal tax returns, insurance costs and day care expenses.

5.

Petitioner's objection to Respondent's basic financial discovery appears to be twofold:

- (1) Although Petitioner appears to believe that his financial documentation is relevant, "extensive" discovery on the issue is not necessary, and
- (2) Because of previous "leaks" (which Petitioner continues to suggest was a result of Respondent or her Counsel, despite the Court already determining that they had *zero* involvement), Petitioner has "reason to be concerned about the production of additional financial information."

6.

For the reasons contained herein below, both objections are without merit or legal authority and Petitioner should be compelled by this Court to respond to Respondent's basic discovery.

7.

With respect to Petitioner's objection that "extensive discovery is not necessary," First Respondent shows that she served very basic financial discovery on Petitioner. Notwithstanding, financial discovery in this case will undoubtedly be more involved simply by virtue of Petitioner being a very affluent celebrity and musician with a multifaceted financial portfolio, which presumably includes: royalties/music rights, recording and television income/contracts, extensive

real estate and personal property holdings, as well as debts and liabilities.

8.

The financial documents requested are discoverable pursuant to O.C.G.A. § 9-11-26(B)(1), which states, "Parties may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action...It is not ground for objection that the information sought will be inadmissible at the trial if the information sought appears reasonably calculated to lead to the discovery of admissible evidence."

9.

O.C.G.A. § 19-6-15(f) provides in relevant part that, "*Gross income of each parent shall be determined in the process of setting the presumptive amount of child support and shall include all income from any source....*" Where the combined incomes of the parties, exceeds Thirty Thousand Dollars per month, the Court may still deviate upward from the basic child support obligation if it finds that under the circumstances, it would be in the child's best interest. See, O.C.G.A. § 19-6-15(i)(2)(A).

10.

O.C.G.A. § 19-6-15(f)(1)(A) lists twenty-two examples of "attributable income" for purposes of child support calculation—all of which are encompassed in Respondent's aforementioned Notice to Produce and Request for Production of Documents and First Continuing Interrogatories. Similarly, the discovery sought addresses Petitioner's "business income [O.C.G.A. § 19-6-15(f)(1)(B)]," "fringe benefits [O.C.G.A. § 19-6-15(f)(1)(C)]," and "variable income [O.C.G.A. § 19-6-15(f)(1)(D)]."

11.

When reading O.C.G.A. § 9-11-26(B)(1) in conjunction with O.C.G.A. § 19-6-15, it is clear that the financial documents requested by Respondent are most certainly relevant and reasonably calculated to lead to admissible evidence and, therefore, discoverable.

12.

It should also be noted that O.C.G.A. § 19-6-15 does not distinguish between actions for divorce and legitimation, as Petitioner's *Notice of Discovery Dispute* suggests this Court should do. Hence, Petitioner's suggestion that "there is no need for extensive financial discovery" because this is "not a divorce action" is irrelevant and not supported by Georgia law. Instead, O.C.G.A. § 19-6-15 applies to *all* child support determinations regardless of whether the action is one for divorce involving child support or legitimation involving child support.

13.

Petitioner's overall financial position is directly relevant to the issue of child support and the financial information requested by Respondent in her *Notice to Produce and Request for Production of Documents* and *First Continuing Interrogatories* seeks same.

14.

With respect to Petitioner's fear that his financial documents will be "leaked," presumably by Respondent or her counsel, Respondent shows that this Court has already addressed this issue and entered an Order requiring that all financial documents remain under seal.

15.

Respondent reminds the Court that neither Respondent nor her counsel were found to have any connection to the leaked documents.

16.

Regardless, the fact that documents were “leaked” to news sources, should not divest Petitioner of his responsibility to provide a thorough understanding of his financial circumstances.

17.

Despite Respondent’s continued efforts to obtain responses to her basic financial discovery, she has no other option but to seek the Court’s assistance in compelling receipt of same.

18.

ARGUMENT AND CITATION OF AUTHORITY

Georgia law provides courts with a “wide latitude to make discovery possible.” Travis Meat & Seafood Co., Inc., et al v. Ashworth, 127 Ga.App. 284, 285, (1972). “The broad purpose of the discovery rules is to enable the parties to prepare for trial so that each party will know the issues and be fully prepared on the facts; discovery is specially designed to fulfill a two-fold purpose: issue formulation and factual revelation.” Id. Furthermore, pursuant to O.C.G.A. § 9-11-26(c), the Court has discretion in entering of orders to prevent oppressive, unreasonable and unduly burdensome discovery.

Despite said discretion, Georgia courts have reasoned that “[w]ithin these guidelines, but in keeping with the overall purpose of the discovery procedure, protective orders may be entered...However, protective orders should not be entered when the effect is to frustrate and prevent legitimate discovery (emphasis added).” Id. at 288. “It is contemplated that the trial judge will exercise a sound and legal discretion in the grant or denial of protective orders. Such are intended to be protective—not prohibitive—and until such time as the court is satisfied by substantial evidence that *bad faith* or *harassment* motivate the mover’s action, the court should not intervene to limit the scope of pre-trial discovery.” Id. (Emphasis added)

Notwithstanding the court's wide discretion, protective orders should only be granted upon the showing of good cause. O.C.G.A. § 9-11-26(c); Young v. Jones, 149 Ga.App. 819, (1979). Good cause for issuance of [a] protective order is "not established by stereotyped or conclusion statements, bereft of facts." Id.

In accordance with Georgia law, Respondent shows that Petitioner's request for a protective order was filed as a prohibitive, rather than a protective, tactic stemming from Petitioner's unsupported legal argument that because this is not a divorce action, extensive discovery of Petitioner's financial circumstances are not relevant to this Court's child support determination. Respondent reiterates that discovery on the issue of Petitioner's overall financial situation is directly relevant to this Court's child support determination and that unlike most litigants in this Court, Petitioner has a complex financial situation as a result of the wealth he has accumulated in the music and television industries.

Similarly, Petitioner's fear that his financial documents will be "leaked," presumably by Respondent or her counsel, has already been addressed by the Court and all financial documents are to remain under seal. To the extent that Petitioner wishes to re-litigate the issue of "leaked" documents, Respondent shows that this is simply a diversionary tactic which is doing nothing but causing unnecessary time and expense to Respondent. Simply put, neither Respondent nor her counsel have ever leaked Petitioner's financial documents to a news outlet and they certainly will not do so in the future.

Accordingly, Respondent brings this Motion to Compel pursuant to O.C.G.A. § 9-11-37, respectfully seeking an Order compelling Petitioner to respond to Respondent's *Notice to Produce and Request for Production*, produce all outstanding documents, and respond to Respondent's *First Continuing Interrogatories*. Furthermore, Respondent requests that her fees in having to

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CIVIL ACTION

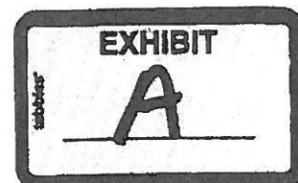
FILE NO. 2013CV240141

RESPONDENT'S FIRST INTERROGATORIES TO PETITIONER

To: C.B. Bridges, Petitioner,
By and through his attorneys of record
Tanya Mitchell Graham, Esq.
Tanya Mitchell Graham, PC
4002 Highway 78, Suite 530-233
Snellville, GA 30039
and
John C. Mayoue, Esq.
Mayoue Gray Eittrheim, PC
5229 Roswell Road
Atlanta, GA 30342

Pursuant to O.C.G.A. § 9-11-33, I herewith serve upon you the following written Interrogatories and require that you answer these Interrogatories separately and fully in writing, under oath, and serve a copy of your answers to **Kessler & Solomiany, LLC**, within thirty (30) days after service.

Where an individual interrogatory calls for an answer which involves more than one part, each part of the answer should be clearly set out so that it is understandable. If any of the Interrogatories cannot be answered in full, please answer to the extent possible and submit any supplemental information at a later date.



If you lack the information necessary to answer any of the Interrogatories, please describe the specific efforts made by you or anyone on your behalf to ascertain the information and state as definitely as possible when you anticipate obtaining the information and supplementing your response. These Interrogatories are continuing, and if at any time, after you have responded to these Interrogatories, any other, further, conflicting, or additional information or document(s), relevant to these Interrogatories, but not previously set forth in your response(s) to said Interrogatories, comes to your knowledge, or comes into your possession or control, then you are requested to further respond and to supplement your response(s) to said Interrogatories within thirty (30) days from your knowledge or the receipt by you of such additional information or documents, and in any event, prior to any pre-trial conference, trial, hearing, or deposition of any party or witness to this action, and from day to day, and from time to time, and from term to term thereafter, until the cause is finally disposed of.

INTERROGATORIES

1.

Present Debts

By full name of creditor, account number, type of debt, current balance due, current monthly payment, and name(s) of debtor(s) including any guarantor(s), list all current debts in your name, including but not limited to promissory notes, mortgages, credit cards, open accounts, commercial loans, car loans, boat loans, airplane loans, loans, etc.

2.

Present Assets

By description, any legal description, account or other identifying number, name(s) of legal title holder(s), list all assets or property currently held or owned by you, including but not limited

to real estate, motorized vehicles or transportation devices, recreation vehicles, boats, trailers, retirement, stocks, bonds, funds, accounts, investments, businesses, corporations, partnerships, liability companies, intangibles such as loans or notes held, plus all personal property or furniture and furnishings you value at over \$500.00.

3.

Home

If you own an interest in your present residence and/or residences, please give the following information:

- a) Amount of the outstanding mortgage(s) or debt(s) on the residence and/or residences;
- b) Purchase price(s); and
- c) The amount(s) and source(s) of the down payment(s).

4.

Credit Card Information

By full name and address of creditor, account number, date you opened the account, date closed, the present unpaid balance on the obligation, the current minimum monthly payment, name(s) in which account is held (name of each obligor), and whereabouts of all monthly statements, list every credit card or charge account debt on which you have been obligated since June 1, 2012.

5.

Savings/Assets/Money

State the names(s) and address(es) of the person, bank or other entity holding any money or assets of any nature for you, and describe the asset(s) held from June 1, 2012, to present.

6.

Security/Stock Accounts

If you, individually or jointly, in your or another's name, currently have, maintain or participate in an account with any stock brokerage house, investment counselor, investment firm or other such entity, identify each house or firm, and list the current holdings of such account.

7.

Retirement Plans

By name and address of plan, name and address of plan administrator, type of plan, current value of your interest, how you acquired your interest, name of current beneficiary, and monthly benefit, describe every retirement plan, including but not limited to pensions, defined benefit plans, defined contribution plans, 401(k) plans, 403(b) plans, employer stock option plans, employee savings plans, government sponsored plans, in which you have held or claimed any interest since June 1, 2012, now hold or claim any interest, or currently receive any benefit.

8.

Safe Deposit Boxes

Identify every safe deposit box in your name or to which you have access at the present time by providing for each the name of the bank, the address of the branch of the bank where located, the date opened, the name(s) of all person authorized to access the box, the last date you accessed the box, and listing all of the current contents of the box

9.

Loans by You

With respect to any loans made by you to any person or entity which have not been satisfied since June 1, 2012 to present, state the name of the borrower, the amount due, and the

terms of the loan.

10.

Loans to You

From June 1, 2012 to present, with respect to any loans made by any bank or lending institution to you, please state the date of the loan, the name of the lender, and the terms of the loan.

11.

Sources of Income

Please list all sources of income and other compensation received by you from June 1, 2012 to present, and indicate, for each year, the total amount of income received by you from each source and the source or sources of such monies. Include income from savings accounts, investments, trusts and other unearned income, and also include income from any form of self-employment, and other efforts on your part for which you received any form of compensation.

12.

Financial Statements

By date of preparation, name and address of the person or firm who prepared the document, purpose for the preparation of the document, and name and address of the person or entity which now has custody of the document or a copy of the document (whether in written or electronic form), identify every single financial statement, credit application, statement of assets and liabilities, or other document that has been prepared to reflect your financial circumstances, including any informal spreadsheets or documents you have prepared since June 1, 2012, and including any person with whom you have conferred about your finances since June 1, 2012.

13.

Assets Transferred or Sold

From June 1, 2012 to present, have you sold, encumbered or further encumbered, transferred, assigned, given, pledged, liquidated or otherwise disposed of any interest in any securities (stocks, corporate bonds, mutual funds, municipal bonds, debentures, notes, commodities, etc.), any savings certificates or certificates of deposit, any gold or silver, any notes or other receivables, any furs, jewelry or precious or semi-precious gems, or any other assets (other than real estate) of value in excess of Four Hundred Ninety-Nine Dollars (\$499.00). If so, for each transaction or transfer, please specifically identify the asset(s), give the name of the purchaser or transferee thereof, the date of such transaction, and the exact amount or value of the proceeds or other consideration received by you.

14.

Business Interests

From June 1, 2012 to present, with respect to any business venture, whether it be a corporation, a general or limited partnership, sole partnership, joint venture, trust or otherwise, in which you have a financial interest, or in which you expect to have an interest within the next year, or from which you have received income, state the name of that business and the financial interest which you have or will have.

15.

Bank Accounts

For each bank account maintained or used by you, individually or jointly with any others, or maintained by you as a trustee or custodian, please state for the period from June 1, 2012 to present, the account number or each account, the names(s) in which each account is maintained

and the name and address of the bank or other institution at which each account is (was) held.

16.

Insurance

Identify all policies of insurance which name you as the principal insured.

17.

Property Transfer

Please list all transfers and/or gifts of property, both real and personal, which you have made since June 1, 2012, to any individual, trust, or legal entity, describing the property transferred and the consideration paid by such transferee.

18.

Plans to Acquire Property

As of the date of your receiving these Interrogatories, please state whether you have any interest in an option to acquire an interest in real property and, if so, state the terms of the option(s) the optionee(s), and give a description of the property subject to each option.

19.

Financial Advisor

Please list the name, address, and telephone number for your financial advisor.

20.

Other Properties

Other than the home in which you are now residing, by address, city, county, state, date acquired, method of acquisition (purchased, traded, given, inherited, etc.), name(s) on original deed by which you acquired your interest, name(s) in which property now held, original acquisition price, your opinion of the current fair market value, creditor name and current balance of each loan

or lien secured by the property, and date transferred, describe all real estate or real property in which you have owned or claimed any interest since June 1, 2012.

21.

Automobiles

By model year, make, model, VIN (Vehicle Identification Number), date first acquired, method of acquisition, person or entity from whom acquired, original amount paid to acquire, date transferred, amount received for transfer, name and address of each current creditor holding any lien against the same, account number of each current creditor holding any lien against the same, and current balance of each loan or lien against the same, describe all motor vehicles in which you have owned or claimed any interest since June 1, 2012.

22.

Investments

By name and address of the issuing company, date each was acquired, method of acquisition, acquisition price, number of current shares you hold, current market or cash value, list all stocks, bonds, debentures, mortgages, mutual funds certificates, securities, limited partnerships, investments, or trade options in which you hold, claim, or intend to seek any interest.

23.

Persons with Knowledge

Identify every person who has any knowledge related to your current financial circumstances, including knowledge of your current income, your current assets, your ownership of any real property, your tax returns, your debts, or your liabilities.

24.

Financial Records

List all financial records you have in your possession or to which you have online or web access regarding your current financial condition, including but not limited to bank statements, account statements, retirement statements, bank accounts (of any kind), pay stubs, tax returns, business records, credit card statements, loan statements, car loan statements, loan applications, closing statements, social security statements, etc.

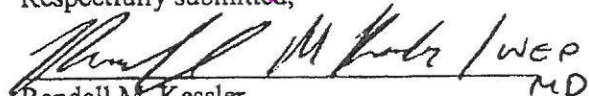
25.

Other Children

Please state the amount of child support you pay per month for any other child(ren) you have. Also include all amounts you pay for said child(ren), other than child support, including but not limited to any and all school expenses, extracurricular activities, entertainment, summer camps, and medical/dental expenses.

Dated this 13 day of June, 2014.

Respectfully submitted,



Randall M. Kessler
Georgia State Bar No. 004170

KESSLER & SOLOMIANY, LLC
Attorneys for Respondent
Centennial Tower
101 Marietta Street, Suite 3500
Atlanta, Georgia 30303
(404) 688-8810
rkessler@ksfamilylaw.com

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA
FAMILY DIVISION

C.B. BRIDGES,

Petitioner,

and

TAMIKA FULLER,

Respondent.

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CIVIL ACTION

FILE NO. 2013CV240141

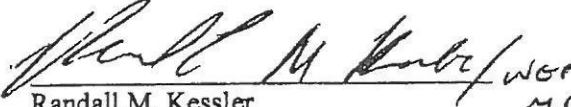
CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for opposing party in the foregoing matter with a copy of this pleading by E-mail and US Mail delivery to:

Tanya Mitchell Graham, Esq.
Tanya Mitchell Graham, PC
4002 Highway 78, Suite 530-233
Snellville, GA 30039

John C. Mayoue, Esq.
Mayoue Gray Eittrheim, PC
5229 Roswell Road
Atlanta, GA 30342

This 13 day of June, 2014.


Randall M. Kessler
Georgia State Bar No: 004170
rkessler@ksfamilylaw.com

Kessler & Solomiany, LLC
Attorneys for Respondent
Centennial Tower
101 Marietta Street, Suite 3500
Atlanta, Georgia 30303
(404) 688-8810
www.ksfamilylaw.com

theJasmineBRAND.com
ORIGINAL

IN THE SUPERIOR COURT OF FULTON COUNTY
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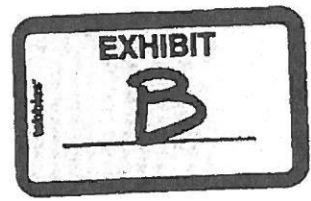
NOTICE TO PRODUCE AND REQUEST FOR PRODUCTION OF DOCUMENTS

To: C.B. Bridges, Petitioner,
By and through his attorneys of record
Tanya Mitchell Graham, Esq.
Tanya Mitchell Graham, PC
4002 Highway 78, Suite 530-233
Snellville, GA 30039
and
John C. Mayoue, Esq.
Mayoue Gray Eittreim, PC
5229 Roswell Road
Atlanta, GA 30342

You are hereby served with this Notice to Produce and Request for Production of Documents pursuant to O.C.G.A. § 24-10-26 and O.C.G.A. § 9-11-34.

You are requested to produce the documents described in Exhibit "A" attached hereto at undersigned counsel's office located at 101 Marietta St., Suite 3500, Atlanta, Georgia, 30303 within the discovery time frame provided by law, as well as at any hearing or deposition conducted in the above-styled case. Any documents so produced shall be subject to inspection and copying by undersigned counsel.


"Document" shall be defined as any medium or complete duplicate of any medium in which the requested information appears, whether in a handwritten document, typed document, computer file, videotape, audiotape, or in some other format.



theJasmineBRAND.com

You are subject to an ongoing duty to supplement your responses to this Notice to Produce and Request for Production of Documents as detailed in O.C.G.A. § 9-11-26(e).

This 13 day of June, 2014.


Randall M. Kessler
Georgia State Bar No. 004170

KESSLER & SOLOMIANY, LLC
Attorneys for Respondent
Centennial Tower
101 Marietta Street, Suite 3500
Atlanta, Georgia 30303
(404) 688-8810
rkessler@ksfamilylaw.com

EXHIBIT A

1. Complete copies of any and all federal and state income tax returns filed by you alone or jointly with any other individual(s) for tax years 2012 and 2013. This request encompasses any and all worksheets, W-2's, 1099 forms, K-1's, or other supportive documents generated for each such return.
2. From June 1, 2012, through the present, any and all pay stubs, vouchers, expense reports (including any and all supportive documentation submitted with said reports), or other documents showing income or benefits of employment of any kind received by you. For the purpose of this request, "income or benefits of employment" shall include, but not be limited to, salary, wages, unemployment compensation, severance pay, dividends, bonuses, advances, employer-funded loans, sick pay, paid time off pay, travel reimbursement, entertainment reimbursement, meal reimbursement, cell phone reimbursement, automobile use, automobile reimbursement, or any other form of employer-reimbursed expenses.
3. Any and all employment contracts or offers of employment to which you are or were a party.
4. Any and all copies of personal financial and/or net worth statements prepared by you or for you (particularly any such statements submitted by you to any bank, finance company or any other lending institution) from June 1, 2012 through present, and copies of statements that support the current values.
5. A copy of your Domestic Relations Financial Affidavit as required under Uniform Superior Court Rule 24 as well as any and all non-privileged, non-work product documents relied upon to generate its contents.
6. With respect to any corporation, S-corporation, partnership, limited liability corporation, limited liability partnership, or other business entity in which you have or had an interest of ten percent (10%) or greater since June 1, 2012, or have or had any managerial or supervisory role (including, but not limited to, an officer role):
 - a) any and all articles of incorporation, corporate minute books, and / or by-laws related to said entity;
 - b) any and all shareholder or partnership agreements related to said entity;
 - c) any and all stock certificates or other documents demonstrating your interest in said entity;

- d) any and all documents evidencing, reflecting, or otherwise related to credit card accounts and debit card accounts, including, but not limited to, monthly statements showing the charges and payments made on such account(s);
- e) any and all records of checking accounts, saving accounts, or other accounts with any financial institution of any kind that are or were maintained or used in connection with said entity (including cancelled checks, checkbooks, checkbook stubs or registers and monthly bank statements);
- f) cash receipts records;
- g) cash disbursement records;
- h) accounts receivable ledgers;
- i) any and all financial statements related to said entity;
- j) any and all profit and loss statements related to said entity;
- k) any and all balance sheets related to said entity; and / or
- l) any and all federal or state tax returns related to said entity.
7. From June 1, 2012, through the present, any and all records of checking and / or savings accounts maintained by you, whether in your name alone or jointly with any other individual(s), whether domestic or foreign, and whether currently active or closed. For the purpose of this request, such records shall be deemed to include, but not be limited to, any and all monthly statements, cancelled checks, deposit slips and / or deposit books.
8. From June 1, 2012, through the present, any and all documents evidencing, reflecting, or otherwise related to any and all money market accounts, liquid asset accounts, cash management accounts, certificates of deposit, treasury bills, notes or bonds, commercial paper or other cash equivalents, and / or mutual fund accounts held in your name alone or jointly with any other individual(s), or for which you are a signatory or beneficial owner, whether foreign or domestic and whether currently held or cancelled, closed, sold, exchanged, or donated. For the purpose of this request, such documents shall include, but not be limited to, statements, checkbook stubs or registers, and / or cancelled checks.
9. From June 1, 2012, through the present, any and all documents evidencing, reflecting, or otherwise related to your interest in any securities of any nature whatsoever, including, but not limited to, stock certificates and / or any and all statements from any financial institution, stockbroker or other third party with buying or selling authority on your behalf.

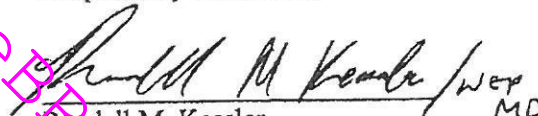
10. From June 1, 2012, through the present, any and all documents evidencing, reflecting, or otherwise related to profit sharing plans, pension plans, KEOGH plans, individual retirement accounts, 401-k plans, employee stock option plans, annuities, and / or other retirement vehicles or deferred compensation arrangements of any nature in which you have or have had an interest. For the purpose of this request, such documents shall include, but not be limited to, the following:
- a) any and all documents describing or summarizing the plan or account and the terms and conditions under which it is maintained;
 - b) any and all periodic statements demonstrating the value of your interest in such a plan or account;
 - c) any and all documents reflecting the present beneficiaries of your interest in each such plan, account, or deferred compensation arrangement;
 - d) any and all elections or waiver forms signed by you or by Petitioner with respect to the receipt of benefits related to each such plan, account, or deferred compensation arrangement; and / or
 - e) any qualified domestic relations order in effect with respect to your interest in a particular retirement plan.
11. Any and all warranty deeds, quitclaim deeds, deeds to secure debt, closing statements, and / or other documents evidencing, reflecting or otherwise related to the acquisition or sale of real property in your name alone or jointly with any other individual(s).
12. Any and all real estate leases or lease/purchase agreements showing you as lessor or lessee.
13. Any and all trust agreements in which you hold or held any beneficial interest of any kind, or of which you are or were a settlor or a trustee, and any and all records of related trust distributions from June 1, 2012, to date.
14. Any and all documents evidencing, reflecting or otherwise related to mortgages, lines of credit and / or other loans held in your name, whether alone or jointly with any other individual(s) and whether currently owed or paid off; provided, however, that this request does not apply to any amounts owed on credit card accounts.
15. From June 1, 2012, through the present, any and all credit card statements for credit cards issued to you in your name alone or jointly with any other individual(s), firm or corporation.

16. All receipts, sales or purchase notices or other documents reflecting your purchase or sale of any tangible personal property including, but not limited to, any gold, silver, jewelry, watches, furs, automobiles, boats, motorcycles, stereo equipment, televisions, cameras, video equipment, appliances, or any other valuable tangible asset (cost exceeding \$499.00) of any nature (excluding real estate) for the period from June 1, 2012 to present.
17. Any and all financial statements, operating statements, profit and loss statements, statements of assets and liabilities and balance sheets prepared by corporate accountant and/or auditor with respect to all properties or business in which you have an ownership interest of 10% or more, including any corporations, partnerships, or joint ventures.
18. Any and all bills for rentals of any and all safe deposit boxes with any bank or lending institutions from June 1, 2012 until present.
19. The contents of any and all safe deposit boxes maintained by you individually and/or jointly with any other or others as of the date of service of this Notice to Produce. In lieu of the actual contents, you may choose to produce a true and complete list of the contents.
20. All medical and/or dental insurance policies and booklets insuring you and any of your children, individually and/or jointly with any other person or persons, as well as all premium notices and correspondence received by you in the last year in connection with same.
21. All life insurance policies and certificates on your life.
22. Your Child Support Worksheet and any and all schedules required pursuant to O.C.G.A. § 19-6-15 and Uniform Superior Court Rule 24.2.
23. From June 1, 2012, through the present, any and all documents evidencing, reflecting or otherwise related to any and all special expenses, adjustments, and/or deviations that you list on your Child Support Worksheet and / or any amendments thereto, including those documents that you contend demonstrate that such special expenses, adjustments, and / or deviations serve(s) the best interest of the children at issue.
24. In accordance with the case of Dikeman v. Mary A. Stearns, P.C., 253 Ga. App. 646 (2002), please produce all documentary and physical evidence which you intend to introduce in any hearing or trial of this case.
25. Your Last Will and Testament and any Codicils relating thereto.

26. A monthly budget of your living expenses including, but not limited to, rent or mortgage payments, utilities, food, clothing, laundry and dry cleaning, insurance payments, prescription drug and medical expenses, transportation costs and entertainment.
27. Any and all tangible evidence, including but not limited to statements of account, deeds, notes, trust agreements, contracts, agreements, letters, memoranda, notices, or other documents relating to any interest you may have in any property, tangible or intangible, which interest in property has not been produced by you pursuant to any other paragraph in this Notice to Produce and Request for Documents.
28. A net worth statement for yourself as of the present date.
29. Any and all documents and things identified in your response to Respondent's First Continuing Interrogatories to Petitioner, or referred to by you in responding to Respondent's First Continuing Interrogatories to Petitioner.

Dated this 13 day of June, 2014.

Respectfully submitted,


Randall M. Kessler
Georgia State Bar No. 004170

KESSLER & SOLOMIANY, LLC
Attorneys for Respondent
Centennial Tower
101 Marietta Street, Suite 3500
Atlanta, Georgia 30303
(404) 688-8810
rkessler@ksfamilylaw.com

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA
FAMILY DIVISION

C.B. BRIDGES,

Petitioner,

and

TAMIKA FULLER,

Respondent.

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CIVIL ACTION

FILE NO. 2013CV240141


CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for opposing party in the foregoing matter with a copy of this pleading by E-mail and US Mail delivery to:

Tanya Mitchell Graham, Esq.
Tanya Mitchell Graham, PC
4002 Highway 78, Suite 530-233
Snellville, GA 30039

John C. Mayoue, Esq.
Mayoue Gray Eittrheim, PC
5229 Roswell Road
Atlanta, GA 30342

This 13 day of June, 2014.


Randall M. Kessler
Georgia State Bar No: 004170
rkessler@ksfamilylaw.com

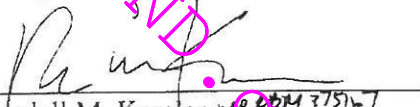
Kessler & Solomiany, LLC
Attorneys for Respondent
Centennial Tower
101 Marietta Street, Suite 3500
Atlanta, Georgia 30303
(404) 688-8810
www.ksfamilylaw.com

bring this Motion to Compel and defend against Petitioner's Motion for Protective Order be borne by Petitioner.

WHEREFORE, Respondent respectfully prays:

- A. That the Court order Petitioner to respond to Respondent's Notice to Produce and Request for Production and Interrogatories;
- B. That the Court set a Rule Nisi for the Petitioner to show cause why the relief requested herein should not be granted;
- C. That the Court deny Petitioner's Motion for Protective Order;
- D. That the Court award reasonable expenses, including attorney's fees and expenses to Respondent incurred as a result of having to bring this Motion to Compel and defend against Petitioner's Motion for Protective Order; and,
- E. That the Court grant Respondent such additional relief as the Court deems necessary, equitable and just under the circumstances.

Respectfully submitted this 18th day of July, 2014.


Randall M. Kessler
Georgia State Bar No. 004170

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July 18, 2014

VIA HAND DELIVERY

The Honorable Wendy L. Shoob
The Honorable Margaret Dorsey
Superior Court of Fulton County
Justice Center Tower, Suite 7905
185 Central Avenue, SW
Atlanta, Georgia 30303

Re: *C. B. Bridges v. Tamika Fuller*
Superior Court of Fulton County
Civil Action File No.: 2013CV240141

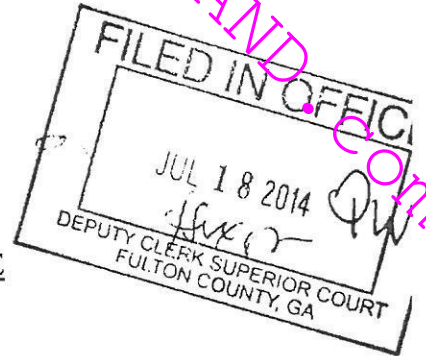
RESPONSE TO NOTICE OF DISCOVERY DISPUTE

Dear Judges Shoob and Dorsey,

Please allow this correspondence to serve as a response to Petitioner's *Notice of Discovery Dispute* which was sent to Your Honors on July 10, 2014. As we have explained in greater detail in our enclosed *Motion to Compel and Response to Petitioner's Motion for Protective Order*, filed with the Clerk today, Petitioner incorrectly argues that extensive financial discovery is unnecessary because this is a legitimation action and "not a divorce." This argument is not supported by Georgia law nor is it even logical. First, Respondent shows that Petitioner is a very affluent celebrity and musician with a multifaceted financial portfolio and for this reason alone, extensive discovery related to his finances will be necessary. Second, as this case involves the establishment of Petitioner's child support obligation, the procedures for determining same are located at O.C.G.A. § 19-6-15, which applies to *all* child support determinations regardless of whether the action is one for divorce or legitimation.

O.C.G.A. § 19-6-15(f) provides that, "Gross income of each parent shall be determined in the process of setting the presumptive amount of child support and shall include *all income from any source...*" (Emphasis added) O.C.G.A. § 19-6-15(f)(1)(A) goes on to list twenty-two examples of "attributable income" and O.C.G.A. § 19-6-15(f)(1)(B),(C) and (D) address business income, fringe benefits and variable income, respectively. Respondent's *Requests for Production and Interrogatories* request information related to the aforementioned types of income. Nevertheless, despite requesting relatively minimal discovery related to Petitioner's film, music and television contracts, Respondent has yet to receive anything.


When O.C.G.A. § 19-6-15(f) is read in conjunction with O.C.G.A. § 9-11-26(B)(1) (*Parties may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved...if reasonably calculated to lead to admissible evidence*), it is clear that a full understanding of Petitioner's income and assets will be essential to the determination of child support in this matter. To that end, Respondent respectfully requests that Your Honors compel Petitioner to respond to *Respondent's First Interrogatories to Petitioner and Notice to Produce and Request for Production of Documents* as served.



Finally, with respect to Petitioner's fear that his financial documents will be "leaked," presumably by Respondent or her counsel, Respondent shows that this Court has already addressed this issue and entered an Order requiring that all financial documents remain under seal. Respondent has filed this response and her *Motion to Compel and Response to Motion for Protective Order* under seal. Nevertheless, Respondent reminds the Court that neither Respondent nor her counsel were found to have any connection to the previously leaked documents and Petitioner was ordered by this Court to pay her fees for having to defend against such erroneous allegations. Regardless, the fact that documents were previously leaked to news sources should not divest Petitioner of his responsibility to provide a thorough understanding of his financial circumstances, especially since there are Court ordered procedures in place to limit the likelihood of such an event occurring again.

For the foregoing reasons, Respondent respectfully request that this Court order Petitioner to respond to her *First Interrogatories to Petitioner* and *Notice to Produce and Request for Production of Documents*, as served.

Sincerely,


Randall M. Kessler
Georgia Bar No.: 004170

KESSLER & SOLOMIANY, LLC
Attorneys for Respondent
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101 Marietta Street, Suite 3500
Atlanta, Georgia 30303
(404) 688-8810
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rkessler@ksfamilylaw.com

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA
FAMILY DIVISION

C.B. BRIDGES,

Petitioner,

and

TAMIKA FULLER,

Respondent.

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CIVIL ACTION

FILE NO.: 2013CV240141

Related Case No. 2013CV236083

RESPONDENT'S MOTION AND BRIEF TO COMPEL DISCOVERY
AND RESPONSE TO PETITIONER'S MOTION FOR PROTECTIVE ORDER

COMES NOW, Respondent, TAMIKA FULLER, and by and through her undersigned counsel of record, moves the Court to enter an order compelling the Petitioner, C.B. BRIDGES, to produce financial information and responses to Respondent's Notice to Produce and Interrogatories, and in support of her Motion shows this Court the following:

1.

On or about June 13, 2014, Respondent's served Petitioner with her *Notice to Produce and Request for Production of Documents and First Continuing Interrogatories*, requesting very basic documents and information related to Petitioner's overall financial situation. See attached Notice to Produce and Interrogatories as Exhibit "A".

2.

On or about July 10, 2014, Petitioner filed his *Notice of Discovery Dispute* with this Court wherein he sought a protective order pursuant to O.C.G.A. § 9-11-26(c).

3.

Petitioner's *Notice of Discovery Dispute* incorrectly stated that, "The instant case is an

action to legitimate the parties' child and to establish child custody and support. This is not a divorce action. *There is no need for extensive financial discovery.*" (Emphasis added)

4.

Petitioner's *Notice of Discovery Dispute* went on to request that he only be required to produce his 2014 year-to-date paystubs, 2013 personal tax returns, insurance costs and day care expenses.

5.

Petitioner's objection to Respondent's basic financial discovery appears to be twofold:

- (1) Although Petitioner appears to believe that his financial documentation is relevant, "extensive" discovery on the issue is not necessary, and
- (2) Because of previous "leaks" (which Petitioner continues to suggest was a result of Respondent or her Counsel, despite the Court already determining that they had zero involvement), Petitioner has "reason to be concerned about the production of additional financial information."

6.

For the reasons contained herein below, both objections are without merit or legal authority and Petitioner should be compelled by this Court to respond to Respondent's basic discovery.

7.

With respect to Petitioner's objection that "extensive discovery is not necessary," First Respondent shows that she served very basic financial discovery on Petitioner. Notwithstanding, financial discovery in this case will undoubtedly be more involved simply by virtue of Petitioner being a very affluent celebrity and musician with a multifaceted financial portfolio, which presumably includes: royalties/music rights, recording and television income/contracts, extensive

real estate and personal property holdings, as well as debts and liabilities.

8.

The financial documents requested are discoverable pursuant to O.C.G.A. § 9-11-26(B)(1), which states, “Parties may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action...It is not ground for objection that the information sought will be inadmissible at the trial if the information sought appears reasonably calculated to lead to the discovery of admissible evidence.”

9.

O.C.G.A. § 19-6-15(f) provides in relevant part that, “*Gross income of each parent shall be determined in the process of setting the presumptive amount of child support and shall include all income from any source....*” Where the combined incomes of the parties, exceeds Thirty Thousand Dollars per month, the Court may still deviate upward from the basic child support obligation if it finds that under the circumstances, it would be in the child’s best interest. See, O.C.G.A. § 19-6-15(i)(2)(A).

10.

O.C.G.A. § 19-6-15(f)(1)(A) lists twenty-two examples of “attributable income” for purposes of child support calculation—all of which are encompassed in Respondent’s aforementioned Notice to Produce and Request for Production of Documents and First Continuing Interrogatories. Similarly, the discovery sought addresses Petitioner’s “business income [O.C.G.A. § 19-6-15(f)(1)(B)],” “fringe benefits [O.C.G.A. § 19-6-15(f)(1)(C)],” and “variable income [O.C.G.A. § 19-6-15(f)(1)(D)].”

11.

When reading O.C.G.A. § 9-11-26(B)(1) in conjunction with O.C.G.A. § 19-6-15, it is clear that the financial documents requested by Respondent are most certainly relevant and reasonably calculated to lead to admissible evidence and, therefore, discoverable.

12.

It should also be noted that O.C.G.A. § 19-6-15 does not distinguish between actions for divorce and legitimation, as Petitioner's *Notice of Discovery Dispute* suggests this Court should do. Hence, Petitioner's suggestion that "there is no need for extensive financial discovery" because this is "not a divorce action" is irrelevant and not supported by Georgia law. Instead, O.C.G.A. § 19-6-15 applies to *all* child support determinations regardless of whether the action is one for divorce involving child support or legitimation involving child support.

13.

Petitioner's overall financial position is directly relevant to the issue of child support and the financial information requested by Respondent in her *Notice to Produce and Request for Production of Documents* and *First Continuing Interrogatories* seeks same.

14.

With respect to Petitioner's fear that his financial documents will be "leaked," presumably by Respondent or her counsel, Respondent shows that this Court has already addressed this issue and entered an Order requiring that all financial documents remain under seal.

15.

Respondent reminds the Court that neither Respondent nor her counsel were found to have any connection to the leaked documents.

16.

Regardless, the fact that documents were “leaked” to news sources, should not divest Petitioner of his responsibility to provide a thorough understanding of his financial circumstances.

17.

Despite Respondent’s continued efforts to obtain responses to her basic financial discovery, she has no other option but to seek the Court’s assistance in compelling receipt of same.

18.

ARGUMENT AND CITATION OF AUTHORITY

Georgia law provides courts with a “wide latitude to make discovery possible.” Travis Meat & Seafood Co., Inc., et al v. Ashworth, 127 Ga.App. 284, 285, (1972). “The broad purpose of the discovery rules is to enable the parties to prepare for trial so that each party will know the issues and be fully prepared on the facts; discovery is specially designed to fulfill a two-fold purpose: issue formulation and factual revelation.” Id. Furthermore, pursuant to O.C.G.A. § 9-11-26(c), the Court has discretion in entering of orders to prevent oppressive, unreasonable and unduly burdensome discovery.

Despite said discretion, Georgia courts have reasoned that “[w]ithin these guidelines, but in keeping with the overall purpose of the discovery procedure, protective orders may be entered...However, protective orders should not be entered when the effect is to frustrate and prevent legitimate discovery (emphasis added).” Id. at 288. “It is contemplated that the trial judge will exercise a sound and legal discretion in the grant or denial of protective orders. Such are intended to be protective—not prohibitive—and until such time as the court is satisfied by substantial evidence that *bad faith* or *harassment* motivate the mover’s action, the court should not intervene to limit the scope of pre-trial discovery.” Id. (Emphasis added)

Notwithstanding the court's wide discretion, protective orders should only be granted upon the showing of good cause. O.C.G.A. § 9-11-26(c); Young v. Jones, 149 Ga.App. 819, (1979). Good cause for issuance of [a] protective order is "not established by stereotyped or conclusion statements, bereft of facts." Id.

In accordance with Georgia law, Respondent shows that Petitioner's request for a protective order was filed as a prohibitive, rather than a protective, tactic stemming from Petitioner's unsupported legal argument that because this is not a divorce action, extensive discovery of Petitioner's financial circumstances are not relevant to this Court's child support determination. Respondent reiterates that discovery on the issue of Petitioner's overall financial situation is directly relevant to this Court's child support determination and that unlike most litigants in this Court, Petitioner has a complex financial situation as a result of the wealth he has accumulated in the music and television industries.

Similarly, Petitioner's fear that his financial documents will be "leaked," presumably by Respondent or her counsel, has already been addressed by the Court and all financial documents are to remain under seal. To the extent that Petitioner wishes to re-litigate the issue of "leaked" documents, Respondent shows that this is simply a diversionary tactic which is doing nothing but causing unnecessary time and expense to Respondent. Simply put, neither Respondent nor her counsel have *ever* leaked Petitioner's financial documents to a news outlet and they certainly will not do so in the future.

Accordingly, Respondent brings this Motion to Compel pursuant to O.C.G.A. § 9-11-37, respectfully seeking an Order compelling Petitioner to respond to Respondent's *Notice to Produce and Request for Production*, produce all outstanding documents, and respond to Respondent's *First Continuing Interrogatories*. Furthermore, Respondent requests that her fees in having to

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA
FAMILY DIVISION

C.B. BRIDGES,

Petitioner,

and

TAMIKA FULLER,

Respondent.

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CIVIL ACTION

FILE NO. 2013CV240141

RESPONDENT'S FIRST INTERROGATORIES TO PETITIONER

To: C.B. Bridges, Petitioner,
By and through his attorneys of record
Tanya Mitchell Graham, Esq.
Tanya Mitchell Graham, PC
4002 Highway 78, Suite 530-233
Snellville, GA 30039
and
John C. Mayoue, Esq.
Mayoue Gray Eittreim, PC
5229 Roswell Road
Atlanta, GA 30342

Pursuant to O.C.G.A. § 9-11-33, I herewith serve upon you the following written Interrogatories and require that you answer these Interrogatories separately and fully in writing, under oath, and serve a copy of your answers to **Kessler & Solomiany, LLC**, within thirty (30) days after service.

Where an individual interrogatory calls for an answer which involves more than one part, each part of the answer should be clearly set out so that it is understandable. If any of the Interrogatories cannot be answered in full, please answer to the extent possible and submit any supplemental information at a later date.



If you lack the information necessary to answer any of the Interrogatories, please describe the specific efforts made by you or anyone on your behalf to ascertain the information and state as definitely as possible when you anticipate obtaining the information and supplementing your response. These Interrogatories are continuing, and if at any time, after you have responded to these Interrogatories, any other, further, conflicting, or additional information or document(s), relevant to these Interrogatories, but not previously set forth in your response(s) to said Interrogatories, comes to your knowledge, or comes into your possession or control, then you are requested to further respond and to supplement your response(s) to said Interrogatories within thirty (30) days from your knowledge or the receipt by you of such additional information or documents, and in any event, prior to any pre-trial conference, trial, hearing, or deposition of any party or witness to this action, and from day to day, and from time to time, and from term to term thereafter, until the cause is finally disposed of.

INTERROGATORIES

1.

Present Debts

By full name of creditor, account number, type of debt, current balance due, current monthly payment, and name(s) of debtor(s) including any guarantor(s), list all current debts in your name, including but not limited to promissory notes, mortgages, credit cards, open accounts, commercial loans, car loans, boat loans, airplane loans, loans, etc.

2.

Present Assets

By description, any legal description, account or other identifying number, name(s) of legal title holder(s), list all assets or property currently held or owned by you, including but not limited

to real estate, motorized vehicles or transportation devices, recreation vehicles, boats, trailers, retirement, stocks, bonds, funds, accounts, investments, businesses, corporations, partnerships, liability companies, intangibles such as loans or notes held, plus all personal property or furniture and furnishings you value at over \$500.00.

3.

Home

If you own an interest in your present residence and/or residences, please give the following information:

- a) Amount of the outstanding mortgage(s) or debt(s) on the residence and/or residences;
- b) Purchase price(s); and
- c) The amount(s) and source(s) of the down payment(s).

4.

Credit Card Information

By full name and address of creditor, account number, date you opened the account, date closed, the present unpaid balance on the obligation, the current minimum monthly payment, name(s) in which account is held (name of each obligor), and whereabouts of all monthly statements, list every credit card or charge account debt on which you have been obligated since June 1, 2012.

5.

Savings/Assets/Money

State the names(s) and address(es) of the person, bank or other entity holding any money or assets of any nature for you, and describe the asset(s) held from June 1, 2012, to present.

6.

Security/Stock Accounts

If you, individually or jointly, in your or another's name, currently have, maintain or participate in an account with any stock brokerage house, investment counselor, investment firm or other such entity, identify each house or firm, and list the current holdings of such account.

7.

Retirement Plans

By name and address of plan, name and address of plan administrator, type of plan, current value of your interest, how you acquired your interest, name of current beneficiary, and monthly benefit, describe every retirement plan, including but not limited to pensions, defined benefit plans, defined contribution plans, 401(k) plans, 403(b) plans, employer stock option plans, employee savings plans, government sponsored plans, in which you have held or claimed any interest since June 1, 2012, now hold or claim any interest, or currently receive any benefit.

8.

Safe Deposit Boxes

Identify every safe deposit box in your name or to which you have access at the present time by providing for each the name of the bank, the address of the branch of the bank where located, the date opened, the name(s) of all person authorized to access the box, the last date you accessed the box, and listing all of the current contents of the box

9.

Loans by You

With respect to any loans made by you to any person or entity which have not been satisfied since June 1, 2012 to present, state the name of the borrower, the amount due, and the

terms of the loan.

10.

Loans to You

From June 1, 2012 to present, with respect to any loans made by any bank or lending institution to you, please state the date of the loan, the name of the lender, and the terms of the loan.

11.

Sources of Income

Please list all sources of income and other compensation received by you from June 1, 2012 to present, and indicate, for each year, the total amount of income received by you from each source and the source or sources of such monies. Include income from savings accounts, investments, trusts and other unearned income, and also include income from any form of self-employment, and other efforts on your part for which you received any form of compensation.

12.

Financial Statements

By date of preparation, name and address of the person or firm who prepared the document, purpose for the preparation of the document, and name and address of the person or entity which now has custody of the document or a copy of the document (whether in written or electronic form), identify every single financial statement, credit application, statement of assets and liabilities, or other document that has been prepared to reflect your financial circumstances, including any informal spreadsheets or documents you have prepared since June 1, 2012, and including any person with whom you have conferred about your finances since June 1, 2012.