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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91215114
Party	Defendant Stillhouse Vineyards, LLC
Correspondence Address	M. Justin Griffin Virginia Small Business Law, PLLC 15 E Franklin St Richmond, VA 23219 UNITED STATES justin.griffin@vasmallbusinesslaw.com
Submission	Motion to Compel Discovery
Filer's Name	M. Justin Griffin
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Date	06/20/2016
Attachments	Applicants Motion to Compel Discovery.pdf(528715 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE  
TRADEMARK TRIAL AND APPEAL BOARD**

SHIRLEY PLANTATION, LLC

and

UPPER SHIRLEY VINEYARDS, LLC,

*Opposers,*

v.

STILLHOUSE VINEYARDS, LLC

(dba PHILIP CARTER WINERY),

*Applicant.*

Opposition No.: 91215114

91216395

Application Nos.: 85/947562

86/121979

Marks: Shirley Plantation

Shirley

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**APPLICANT’S MOTION TO COMPEL**

Pursuant to 37 C.F.R. 2.120(e), Applicant, Stillhouse Vineyards, LLC (“Applicant”), by and through their counsel, hereby requests an order compelling responses to Applicant’s First Set of Interrogatories and First Requests for Production of Documents and Things, which were served on Opposers, Shirley Plantation, LLC and Upper Shirley Vineyards, LLC (“Opposers”) on July 20th, 2015. In support of this Motion, Applicant sets forth the following:

1. On July 20, 2015, Applicant served a First Set of Interrogatories and First Requests for Production of Documents and Things on Opposers. Copies of these requests are attached to this motion as Exhibits A and B.

2. On August 18, 2014, Opposers requested an extension to respond to discovery from the Board. That request requested an extension until September 10, 2015.
3. On August 28, 2015, it was agreed by attorney for the Applicant to extend the time period for response to discovery to September 10, 2015.
4. On May 16, 2016, Opposers filed a Motion for Default Judgement stating amongst its reasons that it had been prejudiced by Applicant's delay in responding to a motion. At that time Opposers still had not answered Applicant's first discovery requests from July 20, 2015.
5. On June 9, 2016, Applicant's counsel contacted Opposers counsel respectfully requesting response to Applicant's discovery requests as soon as possible.
6. As of the date of this filing, Opposers have not addressed that correspondence.
7. Applicant has made a good faith effort to resolve this deficiency, but Opposers have proven unresponsive.
8. Applicant respectfully requests that the Board issue an order compelling Opposers to immediately serve responses to Applicant's First Set of Interrogatories and First Requests for Production of Documents and Things.

WHEREFORE, it is requested that this Motion to Compel be granted.

SIGNATURE ON FOLLOWING PAGE

Date: June 20, 2016

Respectfully submitted by counsel,

A handwritten signature in black ink, appearing to read "M. Justin Griffin". The signature is written in a cursive style with a horizontal line underneath it.

M. Justin Griffin, Esq.

Virginia Small Business Law, PLLC  
15 E. Franklin St.  
Richmond, VA 23219  
Phone: 804-505-0089

Email: [Justin.Griffin@vasmallbusinesslaw.com](mailto:Justin.Griffin@vasmallbusinesslaw.com)

*Attorney for Applicant*

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

The undersigned hereby certifies that on this 20th day of June 2016, the foregoing motion was deposited with the United States Patent and Trademark Office, Trademark Trial and Appeal Board via electronic filing through their website at <http://esta.uspto.gov>.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 20th day of June 2016, the foregoing motion was served upon Opposers by delivering a true and correct copy of the same to counsel for Opposers electronically and via first class mail, as follows:

McCarthy, Lebit, Crystal & Liffman, Co., LPA  
101 West Prospect Ave, Suite 1800  
Cleveland, OH 44115-1088

Date: June 20, 2016



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M. Justin Griffin, Esq.  
*Attorney for Applicant*

# EXHIBIT A

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

SHIRLEY PLANTATION, LLC

and

UPPER SHIRLEY VINEYARDS, LLC

*Opposers,*

v.

STILLHOUSE VINEYARDS, LLC

*Applicant.*

Opposition No.: 91215114 (parent)  
91216395

Application Nos.: 85/947,562  
86/121,979

Marks: SHIRLEY PLANTATION  
SHIRLEY

**APPLICANT'S FIRST SET OF INTERROGATORIES**

Pursuant to Trademark Rule of Practice 2.120 (37 U.S.C. § 2.120). Trademark Trial and Appeal Board Manual of Procedure § 406, and Rule 34, Federal Rule of Civil Procedure, Applicant Stillhouse Vineyards, LLC requests that Opposers Shirley Plantation, LLC and Upper Shirley Vineyards, LLC answer the following Interrogatories separately and fully, in writing, under oath within thirty (30) days after date of service hereof.

For the purposes of these interrogatories, the following definitions and instructions shall apply:

**DEFINITIONS**

The definitions set forth in Applicant's First Requests for the Production of Documents and Things are incorporated by reference as if fully set forth herein.

**INSTRUCTIONS**

1. In answering these interrogatories, furnish all information, including information contained in or on any document that is known or available to You, including all information in

the possession of Your attorneys or other persons acting on Your behalf or under Your attorney's employment or direction.

2. If You cannot answer any interrogatory fully and completely after exercising due diligence to make inquiries and secure information necessary to do so, so state, and answer each such interrogatory to the full extent You deem possible; specify the portion of such interrogatory that You claim You are unable to answer fully and completely; state the facts on which You rely to support Your contention that You are unable to answer such interrogatory fully and completely; and state what knowledge, information and/or belief You have concerning the unanswered portion of each such interrogatory.

3. If there is any item of information that You refuse to disclose on grounds of privilege or work-product immunity, answer so much of the interrogatory as does not request information for which You claim privilege or immunity, state the nature of the privilege or immunity You claim, and provide sufficient details, including the nature of the information, its source, its subject matter, and the names of all persons to whom that information was disclosed, such as would enable the claim of privilege or immunity to be adjudicated.

4. If the response to any interrogatory consists, in whole or in part, of an objection relating to burdensomeness, then with respect to such response:

- a. Provide such information as can be ascertained without undue burden;
- b. State with particularity the basis for such objection including:
  - i. a description of the process or method required to obtain any fact responsive to the interrogatory; and
  - ii. the estimated cost and time required to obtain any fact responsive to the interrogatory.

5. These interrogatories are continuing and require further answer and supplementation, as provided by Federal Rule of Civil Procedure 26(e).



## **INTERROGATORIES**

Please answer the following interrogatories in a manner consistent with the foregoing definitions and instructions:

**INTERROGATORY NO. 1:**

Identify each and every officer of Opposers, including name, title, address and job duties.

**INTERROGATORY NO. 2:**

Identify any and all predecessors, parents or subsidiaries of Opposers.

**INTERROGATORY NO. 3:**

Identify every product and service which Opposers have provided or intend to provide and which Opposers claim is relevant to the Shirley Marks.

**INTERROGATORY NO. 4:**

For each product and service identified in response to Interrogatory No. 3, state the facts that support the exact date upon which Opposers claim to have first offered that product or service.

**INTERROGATORY NO. 5:**

For each product or service identified in response to Interrogatory No. 3, describe the channels of trade of that product or service.

**INTERROGATORY NO. 6:**

For each product or service identified in response to Interrogatory No. 3, identify the person(s) most knowledgeable about the advertising and promotion, and the sales and distribution of that product or service.

**INTERROGATORY NO. 7:**

For each product and service identified in response to Interrogatory No. 3, identify the geographic area in which such product or service is offered.

**INTERROGATORY NO. 8:**

Identify and describe any studies, tests, ratings or surveys relating to any consumer recognition of any mark Opposers claim is relevant to the Shirley Marks.

**INTERROGATORY NO. 9:**

Identify all meetings (prior to the initiation of this opposition) between, on the one hand, someone representing Stillhouse with, on the other hand, someone representing Shirley Plantation.

**INTERROGATORY NO. 10:**

Identify all meetings (prior to the initiation of this opposition) between, on the one hand, someone representing Stillhouse with, on the other hand, someone representing Upper Shirley.

**INTERROGATORY NO. 11:**

Describe the step-by-step process for Opposers' creation and adoption of any marks Opposers claim relevant to the Shirley Marks.

**INTERROGATORY NO. 12:**

What is the commercial impression Opposers intend for any marks Opposers claim relevant to the Shirley Marks to have on Opposers' customers?

**INTERROGATORY NO. 13:**

State in units or dollars the annual U.S. sales, by year, for each product or service offered by Opposers that Opposers claim relevant to the Shirley Marks.

**INTERROGATORY NO. 14:**

Identify all advertising agencies, public relations firms, web site design firms, or Internet consulting firms that Opposers now or have ever employed to promote for each product or service offered by Opposers that Opposers claim relevant to the Shirley Marks.

**INTERROGATORY NO. 15:**

State Opposers' annual U.S. advertising and promotional expenditures, by year, for promoting each product or service offered by Opposers that Opposers claim relevant to the Shirley Marks.

**INTERROGATORY NO. 16:**

Describe Opposers' business vision and plans for each product or service offered by Opposers that Opposers claim relevant to the Shirley Marks.

**INTERROGATORY NO. 17:**

Identify any instance Opposers know of in which any member of the public by word or deed stated or suggested a belief that any good or service branded with the Shirley Marks was licensed by, sponsored by, or otherwise associated or connected with Shirley Plantation.

**INTERROGATORY NO. 18:**

Identify any instance Opposers know of in which any member of the public by word or deed stated or suggested a belief that any good or service branded with the Shirley Marks was licensed by, sponsored by, or otherwise associated or connected with Upper Shirley.

**INTERROGATORY NO. 19:**

Identify any instance Opposers know of in which any member of the public by word or deed stated or suggested a belief that any good or service branded with the Shirley Marks originated at the historic Shirley Plantation (Virginia) or in Shirley, Virginia.

**INTERROGATORY NO. 20:**

Identify any instance Opposers know of in which any member of the public inquired regarding the relationship between Stillhouse and Shirley Plantation or Stillhouse and Upper Shirley.

**INTERROGATORY NO. 21:**

Identify any discussion Opposers had with any Stillhouse representative relating to the Shirley Marks.

**INTERROGATORY NO. 22:**

Identify all persons who assisted in providing answers to these interrogatories.

**INTERROGATORY NO. 23:**

Identify all exhibits and/or demonstrative aids You intend to introduce or use at trial or at any proceeding in this matter other than trial.

Date: July 20, 2015

Respectfully submitted,

*/s/ Jarrod A. Thomas*

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Jarrod A. Thomas  
Philip Carter Strother  
Strother Law Offices, PLC  
The Hillyard-Maury House  
15 E. Franklin Street  
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[pstrother@strotherlaw.com](mailto:pstrother@strotherlaw.com)  
*Attorneys for Applicant*

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 20th day of July 2015, the foregoing *APPLICANT'S FIRST SET OF INTERROGATORIES* was served upon Opposers by delivering a true and correct copy of same to counsel for Opposers via electronic mail (only), as follows:

Michael W. Vary, Esq.  
Kristen M. Hoover, Esq.  
McCarthy, Lebit, Crystal & Liffman, Co., L.P.A.  
101 West Prospect Ave. Suite 1800  
Cleveland, Ohio 44115  
Tel: 216.696.1422  
Fax: 216.696.1210  
Email: mww@mccarthylebit.com  
kmh@mccarthylebit.com

Date: July 20, 2015

*/s/ Jarrod A. Thomas*

---

Jarrod A. Thomas  
Strother Law Offices, PLC

# EXHIBIT B

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

SHIRLEY PLANTATION, LLC

and

UPPER SHIRLEY VINEYARDS, LLC

*Opposers,*

v.

STILLHOUSE VINEYARDS, LLC

*Applicant.*

Opposition No.: 91215114 (parent)  
91216395

Application Nos.: 85/947,562  
86/121,979

Marks: SHIRLEY PLANTATION  
SHIRLEY

**APPLICANT'S FIRST REQUESTS FOR PRODUCTION OF DOCUMENTS  
AND THINGS**

Pursuant to Trademark Rule of Practice 2.120 (37 U.S.C. § 2.120). Trademark Trial and Appeal Board Manual of Procedure § 406, and Rule 34, Federal Rule of Civil Procedure, Applicant Stillhouse Vineyards, LLC requests that Opposers Shirley Plantation, LLC and Upper Shirley Vineyards, LLC produce the documents and things listed below within thirty (30) days after service hereof.

For the purpose of this Request, the following definitions and instructions shall apply.

**DEFINITIONS**

1. The terms “Opposers”, “Shirley Plantation”, “Upper Shirley”, “You”, and “Your” refer to Opposers and include any persons controlled by or acting on behalf of those entities, including but not limited to all officers, directors, owners, employees, agents, representatives, and attorneys, and any predecessors, subsidiaries, parent companies, affiliated companies, or joint ventures.

2. The terms “Applicant”, and “Stillhouse” refer to Applicant and include any persons controlled by or acting on behalf of those entities, including but not limited to all officers, directors, employees, agents, representative, and attorney, and any predecessors, subsidiaries, parent companies, affiliated companies, or joint ventures.

3. The term “Shirley Marks” means any word, name, symbol or devices of other designation of origin incorporating the letter string Shirley or its phonetic equivalent or Shirley Plantation or its phonetic equivalent, in which Applicant claims rights, including any trademark, service mark, or internet domain name, or any trademark application or service mark application or registration and specifically includes the word marks SHIRLEY and SHIRLEY PLANTATION.

4. The term “person” means any natural person or any business, legal or governmental entity, or association.

5. The term “document” as used herein is synonymous in meaning and equal in scope to the usage of this term in Federal Rule of Civil Procedure 34, any “writing and recording” and “photographs” as defined by Federal Rule of Evidence 1001, and its interpretation by courts, and includes, without limitation, all originals, drafts, and non-identical copies of any written, printed, typed, recorded, electronic, magnetic, optical, punched, copied, graphic or other tangible thing in, upon or from which information may be conveyed, embodied, translated, or stored (including, but not limited to, papers, records, books, correspondence, contracts, minutes of meetings, memoranda, notes or desk calendars and appointment books, intra-office communications, canceled checks, invoices, telegrams, telexes, dictation or other audio tapes, video tapes, studies, electronic mail, information stored in computer readable form, on a compact disc, or any other type of data storage device or medium, computer printouts, microfilm, microfiche, laser disks, diaries, calendars, photographs, charts, viewgraphs, drawings, sketches and all other writings or drafts thereof), as well as other tangible things subject to production under Federal Rule of Civil Procedure 34.

6. The term “identify”, when referring to:

- a. A natural person, means to give his or her full name, present or last known address and telephone number, last known address and telephone number, last known place of employment and job title;

- b. a public or private corporation, partnership, association, agency or other entity, means to give its present or last known address and telephone number, and state of incorporation, if applicable;
- c. a document, means to state its general character, title, date, addressee or recipient, author or signatory, present location, and who has possession, custody or control of the document;
- d. a product, means to provide a description of the item which is offered for sale, and the intended customer groups, channels of trade, approximate price, and market for the product;
- e. a service, means to describe the service and the intended customer groups, channels of trade, approximate price, and market for the service.
- f. a meeting or discussion, means to state the date, time, location of the meeting or discussion, identify persons present, and describe the contents of the meeting or discussion.

7. The term “communication” is defined as any transmission or exchange of information between two (2) or more persons, orally or in writing, and includes, without limitation, any conversation or discussion, whether face-to-face or by means of telephone, letter, facsimile, electronic, digital or other media.

8. The terms “relating to” and “related to” mean concerning, containing, evidencing, describing, constituting, referring to, explaining, discussing or reflecting.

9. The connectives “and” and “or” and the term “and/or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the request all documents that might otherwise be construed to be outside its scope.

10. The use of a present tense shall include past tenses.

11. The use of the singular form of any word also includes the plural and *vice versa*.

12. The terms “all” and “each” shall each be construed to include the other.



## INSTRUCTIONS

1. You are requested to produce all responsive documents and things in Your possession, custody of Your attorneys, consultants, agents, or other representatives, and other persons or entities subject to Your control.
2. You are to produce the documents and things as they are kept in the ordinary course of business, with appropriate markings or designations so that it may be determined to which request they are responsive.
3. You are to produce the original and all non-identical copies of each requested document or thing, including all copies which bear any additional file stamps, marginal notes or other additional markings or writings that do not appear on the original. The production shall include the file, envelope, folder, binder, or other container in which the responsive documents and things are kept. If, for any reason, the container cannot be produced, You are to produce copies of all labels or other identifying markings.
4. Documents that exist in digital format and constitute or comprise databases or other tabulations or collections of data or information should be produced in a machine-readable format to be mutually agreed upon by the parties. Documents that exist in digital format and constitute or comprise written communications between natural persons (e.g., e-mail messages, internal memos, letters, etc.) should be produced both in a machine-readable format to be mutually agreed upon by the parties and in hard-copy form.
5. If You cannot fully respond to any request after a diligent attempt, respond to the request to the extent possible and specify the portion of the request to which You are unable to respond.
6. If You claim that any request, definition or instruction is ambiguous, state the language You claim is ambiguous and the interpretation You have used to respond to the request.
7. If You contend that any document or thing has been lost or destroyed, set forth the contents of the document or thing, the location of any copies, the date of loss destruction, the name of the person who ordered or authorized the destruction, if any, and the authority and reasons for such destruction.
8. If You decline to produce any information, document, or thing on this basis of the attorney-client, work product, or other privilege or immunity, respond to so much of the

discovery request as is not subject to the claimed objection, and for each document or thing, provide the following information:

- a. The type and title of the document or thing;
  - b. The general subject matter of the document or description of the thing;
  - c. The date of its creation;
  - d. The identity of the document's author(s), addresses(s)and recipient(s);
  - e. The nation of the privilege or immunity being claimed; and
  - f. In detail, all facts upon which You base Your claim of privilege or immunity.
9. With respect to any document stored on a machine-readable medium, please make available both a hard copy printout of the document and a copy of the computer or electronic tape, disc or other electronic medium on which the document is stored.
10. Complete production is to be made on the date and at the time indicated above.
11. You have a duty to supplement Your response from now until the time of hearing or trial, as provided by Federal Rule of Procedure 26(e).

## **DOCUMENTS AND THINGS REQUESTED**

### **DOCUMENT REQUEST NO. 1:**

All correspondence between You and any third party relating to the Shirley Marks.

### **DOCUMENT REQUEST NO. 2:**

All Documents relating to communications between You and Applicants.

### **DOCUMENT REQUEST NO. 3:**

All intracompany correspondence relating to the Shirley Marks, Applicants or any other marks You claim are relevant to these proceedings.

### **DOCUMENT REQUEST NO. 4:**

All correspondence between You and any third party relating to Applicant or any of its representatives.

### **DOCUMENT REQUEST NO. 5:**

All Documents from any internal meetings relating to the Shirley Marks, Applicant or business dealings with Applicant.

### **DOCUMENT REQUEST NO. 6:**

All Documents relating to meetings and discussions between Stillhouse and Shirley Plantation.

### **DOCUMENT REQUEST NO. 7:**

All Documents relating to meetings and discussions between Stillhouse and Upper Shirley.

### **DOCUMENT REQUEST NO. 8:**

All Documents referring to business or marketing plans of Opposers.

### **DOCUMENT REQUEST NO. 9:**

Any written agreements or communications between Stillhouse and Shirley Plantation, LLC relating to the use of the name Shirley or Shirley Plantation.

### **DOCUMENT REQUEST NO. 10:**

Any written agreements or communications between Stillhouse and Upper Shirley Vineyards, LLC relating to the use of the name Shirley or Shirley Plantation.

### **DOCUMENT REQUEST NO. 11:**

Any written agreements or communications between Stillhouse and Shirley Plantation, LLC relating to the use of images or references to Shirley Plantation.

### **DOCUMENT REQUEST NO. 12:**

Any written agreements or communications between Stillhouse and Upper Shirley Vineyards, LLC relating to the use of images or references to Shirley Plantation.

**DOCUMENT REQUEST NO. 13:**

All Documents relating to the name selection for Upper Shirley's business or products.

**DOCUMENT REQUEST NO. 14:**

All Documents relating to the design of labels or logos for Opposers' products.

**DOCUMENT REQUEST NO. 15:**

All documents relating to the dates of first use in commerce, on or in connection with each of Opposers' products and services, related to marks filed by the Opposers.

**DOCUMENT REQUEST NO. 16:**

All Documents relating to the trade channels through which Opposers offer and sell Goods & Services Opposers claim are related to the Shirley Marks.

**DOCUMENT REQUEST NO. 17:**

All documents relating to the target markets to which Opposers have offered, or intend to offer, products or services Opposers claim are related to the Shirley Marks.

**DOCUMENT REQUEST NO. 18:**

All Documents relating to any oral or written communication from any person that states, suggests or implies that Shirley Plantation is engaged in any business related to the manufacture or sale of wine or alcoholic beverages.

**DOCUMENT REQUEST NO. 19:**

Summary Documents verifying Opposers' annual U.S. sales figures for each of Opposers' Goods & Services that Opposers claim are related to the Shirley Marks.

**DOCUMENT REQUEST NO. 20:**

Summary Documents verifying Opposers' annual U.S. advertising expenditures for each of Opposers' Goods & Services that Opposers claim are related to the Shirley Marks.

**DOCUMENT REQUEST NO. 21:**

All Documents relating to all third-party sites (e.g., referral sites, coupon sites, search engines) on which Opposers pay a fee or commission in exchange for promoting Opposers' Goods & Services that Opposers claim are related to the Shirley Marks.

**DOCUMENT REQUEST NO. 22:**

All documents relating to Opposers' past and present efforts to promote or expand public awareness of Opposers' Goods & Services that Opposers claim are related to the Shirley Marks.

**DOCUMENT REQUEST NO. 23:**

All online advertisements for Opposers' Goods & Services that Opposers claim are related to the Shirley Marks.

**DOCUMENT REQUEST NO. 24:**

All printed (i.e., hard copy) advertisements for Opposers' Goods & Services that Opposers claim are related to the Shirley Marks.

**DOCUMENT REQUEST NO. 25:**

All Documents relating to third-party marketing or search engine optimization services Opposers have used to promote Opposers' Goods & Services that Opposers claim are related to the Shirley Marks.

**DOCUMENT REQUEST NO. 26:**

Printouts of all of Opposers' social networking postings for Opposers' Goods & Services that Opposers claim are related to the Shirley Marks.

**DOCUMENT REQUEST NO. 27:**

All Documents relating to Opposers' customers' feedback regarding Opposers' Goods & Services that Opposers claim are related to the Shirley Marks.

**DOCUMENT REQUEST NO. 28:**

Copies of all logos and designs Opposers created or used that include the literal element SHIRLEY.

**DOCUMENT REQUEST NO. 29:**

All license, co-existence, assignment or consent agreements concerning any mark owned by Opposers that Opposers claim is relevant to the Shirley Marks.

**DOCUMENT REQUEST NO. 30:**

All documents relating to Opposers' plans for future use of any mark owned by Opposers that Opposers claim is relevant to the Shirley Marks.

**DOCUMENT REQUEST NO. 31:**

Documents sufficient to show Opposers' legal status and date founded.

**DOCUMENT REQUEST NO. 32:**

All documents relating to Opposers' policies regarding retention, storage, filing and destruction of electronic mail, documents and things.

**DOCUMENT REQUEST NO. 33:**

All documents that were referred to when responding to Applicant's First Set of Interrogatories or that are identified in response to Applicant's First Set of Interrogatories.

**DOCUMENT REQUEST NO. 34:**

All documents that were referred to by Opposers in these proceedings or which Opposers intend to rely upon at trial or otherwise in this opposition proceeding.

Date: July 20, 2015

Respectfully submitted,

*/s/ Jarrod A. Thomas*

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Jarrold A. Thomas  
Philip Carter Strother  
Strother Law Offices, PLC  
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*Attorneys for Applicant*

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 20th day of July 2015, the foregoing *APPLICANT'S FIRST REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS* was served upon Opposers by delivering a true and correct copy of same to counsel for Opposers via electronic mail (only), as follows:

Michael W. Vary, Esq.  
Kristen M. Hoover, Esq.  
McCarthy, Lebit, Crystal & Liffman, Co., L.P.A.  
101 West Prospect Ave. Suite 1800  
Cleveland, Ohio 44115  
Tel: 216.696.1422  
Fax: 216.696.1210  
Email: mww@mccarthylebit.com  
kmh@mccarthylebit.com

Date: July 20, 2015

*/s/ Jarrod A. Thomas*

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Jarrod A. Thomas  
Strother Law Offices, PLC