



*[Handwritten signature]*

IN THE DISTRICT COURT IN AND FOR TULSA COUNTY  
STATE OF OKLAHOMA

IN RE THE MARRIAGE OF:

████████████████████

Petitioner,

v.

████████████████████

Respondent.

DISTRICT COURT  
FILE  
SEP 20 2017  
DON NEWBERRY, Court Clerk  
STATE OF OKLA. TULSA COUNTY

2017 SEP 20 PM 3:11  
DON NEWBERRY  
COURT CLERK

Consolidated Cases:

No. ██████████

No. ██████████

No. ██████████

Judge ██████████

**RESPONDENT'S MOTION TO QUASH DEPOSITION NOTICE AND SUBPOENAS**

Respondent ██████████ moves the Court for an Order Quashing Petitioner's deposition notices issued to Romel Chatterjee, Dean Olmstead, Rojean Olmstead, and Todd Olmstead (*attached as Exhibit "A"*). In support of her Motion, Respondent states as follows:

1. This matter is scheduled for trial on the merits of child custody issues beginning September 25, 2017.
2. On September 15, 2017, Petitioner issued a notice of deposition subpoena to Romel Chaterjee, Dean Olmstead, Rojean Olmstead, and Todd Olmstead for depositions on Friday September 22, 2017 beginning at 12:00 p.m. and continuing until completed at the offices of McAfee & Taft, 2 West 2<sup>nd</sup> Street, Suite 1100, Tulsa, Oklahoma.
3. On July 11, 2016, Respondent exchanged her Witness and Exhibit List with Petitioner identifying two of the witnesses, Todd Olmstead and Romel Chatterjee. The other two witnesses, Dean Olmstead and Rojean Olmstead, are Respondent's parents, identified in the custody evaluation process, and certainly known to Petitioner and his counsel. Petitioner has had ample time to depose any of these witnesses prior to the Friday before trial.


4. Respondent's counsel does not represent the non-parties in this action; however Todd Olmstead (Respondent's brother) has informed Respondent's counsel that he will be in Chicago, Illinois for work on Friday September 23<sup>rd</sup> and not available for a deposition.

5. The deposition subpoenas issued by Petitioner on September 15, 2017 seek testimony that can be ascertained at trial. Petitioner should not be allowed to subpoena and depose witnesses the Friday before trial, especially since these witnesses have been known to Petitioner for months or longer.

6. Under the Oklahoma Discovery Code, the Court should terminate the deposition notice and subpoenas as it is appropriate to protect a party from annoyance, harassment, embarrassment, undue burdensome or expense under 12 O.S. §3226. *See also* 12 O.S. § 2004.1(C)(3)(a)(4) (stating that, under Oklahoma law, a court shall quash a compelled appearance if it subjects a person to an undue burden). Petitioner's notices are inappropriate and present an undue burden on Respondent and her counsel who are unavailable for depositions on Friday September 23<sup>rd</sup>.

**WHEREFORE**, Respondent moves this Court to quash Petitioner's Notice of Depositions and Subpoenas, enter a protective order, and for all further relief the Court deems equitable and just.

Respectfully submitted,



Joseph R. Farris, OBA #2835  
Curtis J. Roberts, OBA #19923  
**FRANDEN | FARRIS | QUILLIN**  
**GOODNIGHT + ROBERTS**  
Williams Center Tower II  
2 West 2<sup>nd</sup> Street, Suite 900  
Tulsa, Oklahoma 74103  
(918)583-7129  
(918)584-3814 (f)

and

N. Scott Johnson, OBA #15268  
**N. SCOTT JOHNSON & ASSOCIATES, PLLC**  
302 E. 10<sup>th</sup> Street  
Tulsa, Oklahoma 74120  
(918)794-3333  
(918)794-3336 (f)  
ATTORNEYS FOR RESPONDENT

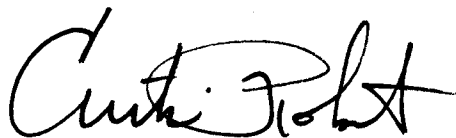
**CERTIFICATE OF SERVICE**

I certify that on the 20 day of September, 2017, I caused a true and correct copy of the above document to be delivered, via U.S. Mail and electronic mail, to the following:

Brita Cantrell  
McAfee & Taft  
2 West 2<sup>nd</sup> Street, Suite 1100  
Tulsa Oklahoma 74103  
[brita.cantrell@mcafeetaft.com](mailto:brita.cantrell@mcafeetaft.com)

Keith A. Jones, OBA #17072  
5801 E. 41<sup>st</sup> Street, Ste. 300  
Tulsa, Oklahoma 74135

Richard A. Wagner, II  
Hall Estill  
320 S. Boston Ave, Suite 200  
Tulsa, OK 74103  
[rwagner@raw2law.com](mailto:rwagner@raw2law.com)  
[rwagner@hallestill.com](mailto:rwagner@hallestill.com)



IN THE DISTRICT COURT IN AND FOR TULSA COUNTY  
STATE OF OKLAHOMA

In Re the Marriage of:

[REDACTED]

Petitioner,

v.

[REDACTED]

Respondent.

Case No. [REDACTED] (consolidated  
with [REDACTED])

**NOTICE OF DEPOSITION SUBPOENA**

TO: Joseph R. Farris  
Curtis J. Roberts  
Franden Farris Quillin Goodnight & Roberts  
Williams Center Tower II, Suite 900  
2 West 2<sup>nd</sup> Street  
Tulsa OK 74103  
and  
N. Scott Johnson  
N. Scott Johnson & Associates, PLLC  
302 E 10th St  
Tulsa OK 74120

YOU WILL TAKE NOTICE that Petitioner has subpoenaed **Romel Chatterjee, Dean Olmstead, Rojean Olmstead, and Todd Olmstead** for deposition on September 22, 2017 as set forth in the Deposition Subpoenas attached hereto.

  
\_\_\_\_\_  
Brita H. Cantrell, OBA#12327  
McAfee & Taft  
William Towers II  
Two West 2<sup>nd</sup> Street, Suite 1100  
Tulsa, OK 74103  
(918) 574-3077  
(918) 574-3177 Fax  
[brita.cantrell@mcafeetaft.com](mailto:brita.cantrell@mcafeetaft.com)  
and



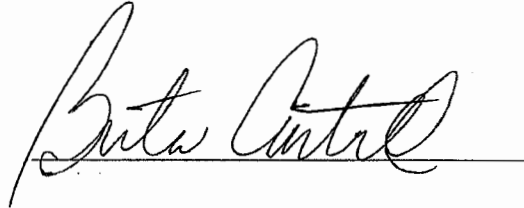
Richard A. Wagner, II, OBA #9268  
Hall, Estill, Hardwick, Gable, Golden &  
Nelson, PC  
320 S. Boston Avenue, Suite 200  
Tulsa, OK 74103  
(918) 594-0400  
(918) 594-0505 Fax  
Attorneys for Petitioner

**CERTIFICATE OF MAILING**

I hereby certify that on the 15<sup>th</sup> day of September, 2017, a true and correct copy of the foregoing was hand-delivered to:

Joseph R. Farris  
Curtis J. Roberts  
Franden Farris Quillin Goodnight & Roberts  
Williams Center Tower II, Suite 900  
2 West 2<sup>nd</sup> Street  
Tulsa OK 74103

N. Scott Johnson  
N. Scott Johnson & Associates, PLLC  
302 E 10th St  
Tulsa OK 74120



A handwritten signature in cursive script, appearing to read "Brita Cantrell", is written over a horizontal line.

IN THE DISTRICT COURT IN AND FOR TULSA COUNTY  
STATE OF OKLAHOMA

In Re the Marriage of:

[REDACTED]

Petitioner,

v.

[REDACTED]

Respondent.

Case No. [REDACTED] (consolidated  
with [REDACTED])

**DEPOSITION SUBPOENA**

STATE OF OKLAHOMA    )  
                                          )  
COUNTY OF TULSA    )    ss.

TO: **Dean Olmstead**  
**1339 S. Jamestown Ave.**  
**Tulsa, OK 74112**

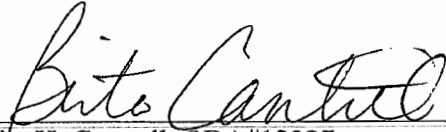
GREETINGS:

Pursuant to OKLA. STAT. tit. 12 § 2004.1, you are hereby commanded to appear at the offices of McAfee & Taft, located at Williams Center Tower II, Suite 1100, 2 West 2<sup>nd</sup> Street, Tulsa, Oklahoma 74103, on **September 22, 2017 at 1:30 p.m.**, to testify as a witness in a deposition noticed by the Petitioner in the above-captioned case.

Said deposition will be stenographically recorded by an officer authorized to administer oaths and report oral deposition testimony. Said deposition will be continued, from day to day, until completed.

Hereof fail not under penalty of law.

Issued this 15<sup>th</sup> day of September, 2017.



Brita H. Cantrell, OBA#12327  
McAfee & Taft  
William Towers II  
Two West 2<sup>nd</sup> Street, Suite 1100  
Tulsa, OK 74103  
(918) 574-3077  
(918) 574-3177 Fax  
[brita.cantrell@mcafeetaft.com](mailto:brita.cantrell@mcafeetaft.com)

and

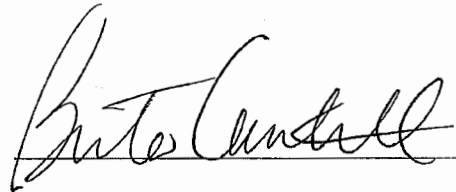
Richard A. Wagner, II, OBA #9268  
Hall, Estill, Hardwick, Gable, Golden &  
Nelson, PC  
320 S. Boston Avenue, Suite 200  
Tulsa, OK 74103  
(918) 594-0400  
(918) 594-0505 Fax  
Attorneys for Petitioner

**CERTIFICATE OF MAILING**

I hereby certify that on the 15<sup>th</sup> day of September, 2017, a true and correct copy of the foregoing was hand-delivered to:

Joseph R. Farris  
Curtis J. Roberts  
Franden Farris Quillin Goodnight & Roberts  
Williams Center Tower II, Suite 900  
2 West 2<sup>nd</sup> Street  
Tulsa OK 74103

N. Scott Johnson  
N. Scott Johnson & Associates, PLLC  
302 E 10th St  
Tulsa OK 74120



IN THE DISTRICT COURT IN AND FOR TULSA COUNTY  
STATE OF OKLAHOMA

In Re the Marriage of:

[REDACTED]

Petitioner,

v.

[REDACTED]

Respondent.

Case No. [REDACTED] (consolidated  
with [REDACTED])

DEPOSITION SUBPOENA

STATE OF OKLAHOMA    )  
                                  )  
COUNTY OF TULSA    )    ss.

TO: **Todd Olmstead**  
**9702 S. Urbana Ave.**  
**Tulsa, OK 74137**

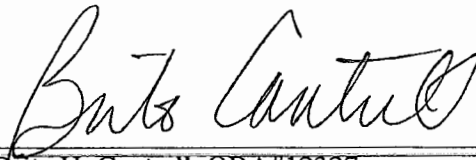
GREETINGS:

Pursuant to OKLA. STAT. tit. 12 § 2004.1, you are hereby commanded to appear at the offices of McAfee & Taft, located at Williams Center Tower II, Suite 1100, 2 West 2<sup>nd</sup> Street, Tulsa, Oklahoma 74103, on **September 22, 2017 at 4:30 p.m.**, to testify as a witness in a deposition noticed by the Petitioner in the above-captioned case.

Said deposition will be stenographically recorded by an officer authorized to administer oaths and report oral deposition testimony. Said deposition will be continued, from day to day, until completed.

Hereof fail not under penalty of law.

Issued this 15<sup>th</sup> day of September, 2017.



Brita H. Cantrell, OBA#12327  
McAfee & Taft  
William Towers II  
Two West 2<sup>nd</sup> Street, Suite 1100  
Tulsa, OK 74103  
(918) 574-3077  
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[brita.cantrell@mcafeetaft.com](mailto:brita.cantrell@mcafeetaft.com)

and

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(918) 594-0505 Fax  
Attorneys for Petitioner

**CERTIFICATE OF MAILING**

I hereby certify that on the 15<sup>th</sup> day of September, 2017, a true and correct copy of the foregoing was hand-delivered to:

Joseph R. Farris  
Curtis J. Roberts  
Franden Farris Quillin Goodnight & Roberts  
Williams Center Tower II, Suite 900  
2 West 2<sup>nd</sup> Street  
Tulsa OK 74103

N. Scott Johnson  
N. Scott Johnson & Associates, PLLC  
302 E 10th St  
Tulsa OK 74120



IN THE DISTRICT COURT IN AND FOR TULSA COUNTY  
STATE OF OKLAHOMA

In Re the Marriage of:

[REDACTED]

Petitioner,

v.

[REDACTED]

Respondent.

Case No. [REDACTED] (consolidated  
with [REDACTED])

DEPOSITION SUBPOENA

STATE OF OKLAHOMA    )  
                                  )    ss.  
COUNTY OF TULSA    )

TO: Romel Chatterjee  
7330 Garnett Road, Apt. 1022  
Broken Arrow, OK 74012

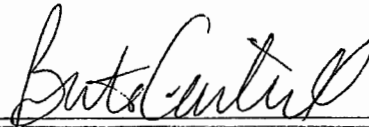
GREETINGS:

Pursuant to OKLA. STAT. tit. 12 § 2004.1, you are hereby commanded to appear at the offices of McAfee & Taft, located at Williams Center Tower II, Suite 1100, 2 West 2<sup>nd</sup> Street, Tulsa, Oklahoma 74103, on **September 22, 2017 at 12:00 noon**, to testify as a witness in a deposition noticed by the Petitioner in the above-captioned case.

Said deposition will be stenographically recorded by an officer authorized to administer oaths and report oral deposition testimony. Said deposition will be continued, from day to day, until completed.

Hereof fail not under penalty of law.

Issued this 15<sup>th</sup> day of September, 2017.



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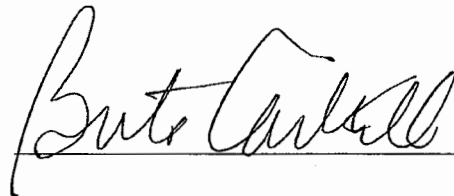
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**DEPOSITION SUBPOENA**

STATE OF OKLAHOMA    )  
                                  )    ss.  
COUNTY OF TULSA    )

TO: **Rojean Olmstead**  
**1339 S. Jamestown Ave.**  
**Tulsa, OK 74112**

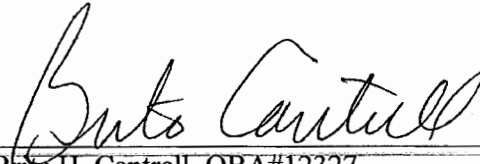
**GREETINGS:**

Pursuant to OKLA. STAT. tit. 12 § 2004.1, you are hereby commanded to appear at the offices of McAfee & Taft, located at Williams Center Tower II, Suite 1100, 2 West 2<sup>nd</sup> Street, Tulsa, Oklahoma 74103, on **September 22, 2017 at 3:00 p.m.**, to testify as a witness in a deposition noticed by the Petitioner in the above-captioned case.

Said deposition will be stenographically recorded by an officer authorized to administer oaths and report oral deposition testimony. Said deposition will be continued, from day to day, until completed.

Hereof fail not under penalty of law.

Issued this 15<sup>th</sup> day of September, 2017.



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Attorneys for Petitioner

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