

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX COUNTY

AYER DISTRICT COURT
DOCKET NUMBER 0748CV0568

TROY CAPITAL, LLC, ASSIGNEE OF EASY)
LOAN CORPORATION, ASSIGNEE OF GE)
CAPITAL FINANCIAL INC.)
Plaintiff)
Vs)
FRANK P. KARKOTA, JR)
Defendant)

REQUEST FOR DOCUMENTS

Defendant requests, pursuant to Massachusetts Civil Procedure Rule 34, that the Massachusetts Board of Bar Overseers (BBO) produce the following documents by delivering them to the office of the Defendant within 30 days from the date of service of this Request.

The following document requests pertain to investigations B2-06-0222 and B2-06-(9)222 of attorney George Nader.

1. A list of all witnesses, including, but not limited to, individuals, corporations, and government entities that were contacted during this investigation.
2. Transcripts or notes from the interviews of these witnesses.
3. A list of all documents that were examined during this investigation.
4. Copies of all documents, except those known to be in the possession of the Defendant.
5. The document(s) that prove that the IRS refused the Defendant's payment and would have seized the business even if the taxes had been paid in full.
6. A record of all communications by the BBO with the Internal Revenue Service, including, but not limited to, written correspondence, telephone conversations, FAXes, and e-mails.

7. A record of all communications by the BBO with the New Hampshire Department of Revenue, including, but not limited to, written correspondence, telephone conversations, FAXes, and e-mails.
8. A record of all communications by the BBO with the GE Capital Corporation, including, but not limited to, written correspondence, telephone conversations, FAXes, and e-mails.
9. Since there was a financial discrepancy in the bankruptcy, an audit was mandatory in a competent investigation. The Defendant requests a copy of the audit.
10. A list of complaints filed by other individuals or entities against George Nader.
11. The criminal investigation performed by the United States Treasury Inspector General exonerated the IRS agent. The IG agent recommended an investigation of attorney Nader by the BBO. The Defendant requests documents to show that Bruce Eisenhut is qualified to conduct a criminal investigation.

Frank P. Karkota, Jr. Pro Se
17 Cowdry Hill Road
Westford, MA 01886

~~978-399-0091~~

DATE: November 24, 2007

CERTIFICATE OF SERVICE

I, Frank P. Karkota, Jr. pro se, hereby certify that I have, this November 24, 2007, mailed a copy of the above request for documents, postage prepaid, The Massachusetts Board of Bar Overseers, 99 High Street, Boston, MA 02110 and to the Plaintiff's attorney, Brian Aylward, 5 Essex Green Drive, Peabody, MA 01960

Frank P. Karkota, Jr. Pro Se



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

MARTHA COAKLEY
ATTORNEY GENERAL

(617) 727-2200
www.ago.state.ma.us

November 30, 2007

Frank P. Karkota, Jr.
17 Cowdry Hill Road
Westford, MA 01886

Re: Troy Capital, LLC, Assignee of Easy Loan Corporation, Assignee of GE Capital
Financial Inc. v. Frank P. Karkota, Jr., Ayer District Court, No. 0748-CV-0568

Dear Mr. Karkota:

Enclosed please find the Request for Documents you served on the Attorney General in the above-referenced case. The Board of Bar Overseers is not a party to this case and therefore is not subject to Mass. R. Civ. P. Rule 34. I am returning these materials to you for whatever action you deem appropriate

Very truly yours,

A handwritten signature in black ink, appearing to read "W. W. Porter".

William W. Porter
Chief, Administrative Law Division
(617) 727-2200, ext. 2976

WWP/sc
Enclosure



COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX COUNTY

AYER DISTRICT COURT
DOCKET NUMBER 0748CV0568

TROY CAPITAL, LLC, ASSIGNEE OF EASY)
 LOAN CORPORATION, ASSIGNEE OF GE)
 CAPITAL FINANCIAL INC.)
 Plaintiff)
 Vs)
)
)
)
 FRANK P. KARKOTA, JR)
 Defendant)
)
)

DEFENDANT’S REQUEST THAT THE COURT COMPELL DISCOVERY

The Defendant requests that the court order the Massachusetts Board of Bar Overseers (BBO) to produce documents relevant to this case. Both the BBO and the Massachusetts Attorney General have refused the Defendant’s request. The Defendant requests:

1. All correspondence between the BBO and GE CAPITAL FINANCIAL INC.
2. All BBO internal notes, correspondence, memorandum and records regarding the investigation by the BBO of the Defendant’s bankruptcy attorneys as it relates to GE CAPITAL FINANCIAL INC.
3. The audit of the bankruptcy of which GE CAPITAL FINANCIAL INC was a creditor.

Attached exhibits are the complaint filed against the Defendant’s bankruptcy attorneys with the BBO, all written correspondence related to the complaint, and the response from the BBO, including responses by the Defendant’s bankruptcy attorneys. And the refusal from the Massachusetts Attorney General to the Defendant’s request for documents.

The refusal to refuse to provide these documents is invalid as noted: **Rule 34 (c) Persons Not Parties.** This rule does not preclude an independent action against a person not a party for production of documents and things and permission to enter upon land.

The Defendant considers these documents essential to his defense.

Frank P. Karkota, Jr.
Pro Se
17 Cowdry Hill Road
Westford, MA 01886
~~978-392-0091~~

January 30, 2008

CERTIFICATE OF SERVICE

I, Frank P. Karkota, Jr. pro se, hereby certify that I have, this January 30, 2008, mailed a copy of the above request for documents, postage prepaid, to the Plaintiff's attorney, Brian Aylward, 5 Essex Green Drive, Peabody, MA 01960

Frank P. Karkota, Jr. Pro Se

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RULES OF DOMESTIC RELATIONS PROCEDURE

Domestic Relations Procedure Rule 34: Production of documents and things and entry upon land for inspection and other purposes

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(a) Scope

Any party may serve on any other party a request (1) to produce and permit the party making the request, or someone acting on his behalf, to inspect and copy, any designated documents (including writings, drawings, graphs, charts, photographs, phono-records, and other data compilations from which information can be obtained, translated, if necessary, by the respondent through detection devices into reasonably usable form), or to inspect and copy, test, or sample any tangible things which constitute or contain matters within the scope of [Rule 26\(b\)](#)

[\(/rules-of-domestic-relations-procedure/domestic-relations-procedure-rule-26-general-provision#-b-scope-of-discovery\)](#) and which are in the possession, custody or control of the party upon whom the request is served; or (2) to permit entry upon designated land or other property in the possession or control of the party upon whom the request is served for the purpose of inspection and measuring, surveying, photographing, testing or sampling the property or any designated object or operation thereon, within the scope of [Rule 26\(b\)](#) [\(/rules-of-domestic-relations-procedure/domestic-relations-procedure-rule-26-general-provision#-b-scope-of-discovery\)](#).

(b) Procedure

The request may, without leave of court, be served upon the plaintiff after commencement of the action and upon any other party with or after service of the summons and complaint upon that party. The request shall set forth the items to be inspected either by individual item or by category, and describe each item and category with reasonable particularity.

The request shall specify a reasonable time, place, and manner of making the inspection and performing the related acts. The party upon whom the request is served shall serve a written response within 30 days after the service of the request, except that a defendant may serve a response within 45 days after service of the summons and complaint upon that defendant. The court may allow a shorter or longer time. The response shall state, with respect to each item or category, that inspection and related activities will be permitted as requested, unless the request is objected to, in which event the reasons for objection shall be stated. If objection is made to part of an item or category, the part shall be specified. The party submitting the request may move for an order under [Rule 37\(a\)](#)

[\(/rules-of-domestic-relations-procedure/domestic-relations-procedure-rule-37-failure-to-make\)](#) with respect to any objection to or other failure to respond to the request or any part thereof, or any failure to permit inspection as requested. A party who produces documents for inspection shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the request.

(c) Persons not parties

This rule does not preclude an independent action against a person not a party for production of documents and things and permission to enter upon land.

Downloads

Massachusetts Rules of Domestic Relations Procedure

(<https://www.mass.gov/doc/massachusetts-rules-of-domestic-relations-procedure/download>) (PDF 819.37 KB)

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