

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS
MAR 01 2022
TAMMY H. DOWNS, CLERK
By: *[Signature]* DEACLINK

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS

LAURA LYNN HAMMETT, an individual,)	Case No.: 4:21-CV-00189-KGB
)	
)	
Plaintiff,)	Plaintiff Laura Lynn Hammett’s
)	Motion to Extend and Compel
vs.)	Discovery or Sanctions Against
)	Portfolio Recovery Associates, LLC
PORTFOLIO RECOVERY ASSOCIATES, LLC, a Limited Liability Company; DOES 1-99)	
)	
Defendants)	
)	
)	

COMES NOW Plaintiff, Laura Lynn Hammett, (“Hammett” or “Plaintiff”) to move the Court to extend and compel discovery, continue the Defendant’s Motion for Summary Judgment or impose spoliation sanctions Against Portfolio Recovery Associates, LLC. (“PRA” or “Defendant”)

This motion is based upon the affidavit of Hammett with exhibits and memorandum of points and authorities filed concurrently.

PRA has not been forthcoming with discovery responses.

Plaintiff can probably prevail against PRA on its Motion for Summary Judgment and maybe at trial with just her testimony and the exhibits she already possesses. But three items that PRA is withholding, concealing or destroying would show decisively that PRA representative Meryl Dreano committed perjury, PRA's counsel has violated FRCP Rule 11 repeatedly and Hammett's rendition of the events from which this case arises is as accurate as a history can be recorded.

The production of the three documents could also lead to the discovery of more relevant facts.

One document is a third-party telephone log of calls PRA made to telephone numbers associated with Hammett's account, (760) 966-6000, (870) 496-2653 and (760) 439-8660. Hammett wants to subpoena this record, but PRA refused to produce any document that has its Telephone Service Provider's ("TSP") contact information and its account numbers.

The second document is the entire PRANet record of Hammett's account. PRA refuses to allow Hammett to visit its facility to inspect the PRANet record and PRA provided only bits and pieces of the record. The bits and pieces have several inconsistencies with PRA's own phone log and there are portions of the

missing record that are inaccurate, such as PRA writing that Hammett filed for bankruptcy. Hammett has never filed for bankruptcy. (PRA representative Risa Gore told Hammett about the bankruptcy comment on February 5, 2022, recording on Exhibit 15. “[I] found notice of bankruptcy you filed pro se” at about 39:00 and another mention of my alleged “bankruptcy” at about 40:30.)

The third set of documents is PRA’s recordings of telephone calls it placed to numbers associated with Plaintiff’s telephone. PRA produced about 44 recordings but made hundreds of calls. Some of the recordings provided have the sounds of voicemail or non-connected calls. All the recordings should be included. (Risa Gore said, “any time we dial a number our system documents it.” And, “our system documents every number whether we’re calling out or someone’s calling in.” Feb. 5, 2022 recording at about 44:55 and 48:00 respectively on Exhibit 15.)

Plaintiff asks this court to compel PRA to produce a third-party accounting of all telephone calls placed to (760) 966-6000, (870) 496-2653 and (760) 439-8660, recordings of all calls it placed to numbers associated with Hammett’s account and to compel PRA to allow Hammett to inspect her account record and make copies of significant pages at the PRA facility in Tennessee or the closest possible facility to Conway, Arkansas. PRA said PRANet cannot be accessed remotely, as at the Rose Law Firm in Little Rock.

If PRA fails to comply with the order to compel, Plaintiff asks the Court to allow a negative inference pursuant to Arkansas Model Jury Instruction 106.

Plaintiff also requests that she be given an opportunity to amend her opposition to the Defendant's Motion for Summary Judgment after obtaining the requested documents and that the Court consider the extra work that created for Hammett by the incomplete discovery responses and falsification of evidence, when judging the opposition.

Plaintiff also requests costs of preparing and filing this motion, including administrative help of \$1,200, printing costs of 10 cents per page for five copies and \$30.00 for driving to the courthouse and home, and any other relief the Court finds will serve justice.

Certificate of Meet and Confer

I, Laura Lynn Hammett, swear that I made several efforts to discuss the need for an extension of time, production of documents and retracting the violations of FRCP Rule 11, as detailed within the brief and affidavit.


Respectfully Submitted,

Laura Lynn Hammett
500 Amity Road, Suite 5B #306
Conway, Arkansas 72032
(760) 966-6000

TheNext55Years@Gmail.com

Plaintiff in Pro Se

Dated March 1, 2022



Laura Lynn Hammett

CERTIFICATE OF SERVICE

I hereby certify that on March 1, 2022, a true and exact copy of the foregoing was served upon counsel of record via email to the following individuals :

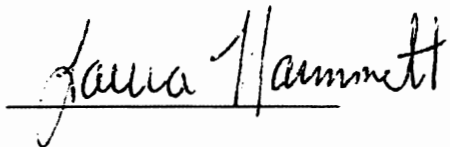
James K. Trefil, Troutman Pepper, James.Trefil@Troutman.com

John Komisin, Troutman Pepper, jed.komisin@troutman.com

David Mitchell, Rose Law Firm, DMitchell@RoseLawFirm.com

Nick Mote, NMote@roselawfirm.com

And that I hand delivered a copy to Rose Law Firm.



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Plaintiff Pro Se