

STATE OF VERMONT

SUPERIOR COURT
Orange Unit

CIVIL DIVISION
Case No. 23-CV-02848

JOHN DURKEE, EXECUTOR OF THE
ESTATE OF DECEDENT [KENNETH] H.
BLAISDELL, JR.,
Plaintiff,

v.

TRINI BRASSARD, COURTNEY BRASSARD,
BRIAN FALZO, DANIEL BRASSARD, AND
BRASSARD SUGARWORKS AND MAPLE
SUPPLY, LLC,
Defendants.

**DANIEL BRASSARD'S MEMORANDUM IN OPPOSITION TO
PLAINTIFF'S RULE 37 MOTION TO COMPEL DEFENDANTS COURTNEY BRASSARD
AND DANIEL BRASSARD'S RESPONSES TO DISCOVERY MADE PURSUANT TO
RULE 26**

Defendant, Daniel Brassard ("Mr. Brassard"), hereby submits this memorandum *in opposition* to Plaintiff's Rule 37 Motion to Compel Defendants Courtney Brassard and Daniel Brassard's Responses to Discovery Made Pursuant to Rule 26, filed February 14, 2024 (hereinafter, "Plaintiff's Motion"). Plaintiff's Motion should be denied, because (1) Mr. Brassard has produced his responses to Plaintiff's discovery requests as of the filing of this memorandum in opposition, and Plaintiff's Motion and the relief requested therein with respect to

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Mr. Brassard is moot; and (2) Mr. Brassard, in conjunction with Defendant Trini Brassard, has already produced 1,679 pages of documents to Plaintiff in the underlying probate matter, the vast majority of which is directly responsive to Plaintiff's discovery requests. In further support of this memorandum in opposition, Mr. Brassard states as follows:

1. Initially, and contrary to Plaintiff's assertion, Plaintiff's Motion at pg. 4, Mr. Brassard previously attempted to produce his responses to Plaintiff's discovery requests, but Plaintiff rejected the responses due to improper formatting and the lack of a verified signature.
2. That said, as of the date of the filing of this memorandum, Mr. Brassard has produced his properly formatted responses to Plaintiff's first set of discovery requests, signed under oath pursuant to 4 V.S.A. § 27b, and, as such, Plaintiff's Motion and the relief requested therein with respect to Mr. Brassard is moot.
3. Finally, it is important to note that Mr. Brassard, in conjunction with Defendant Trini Brassard prior to the initiation of this action, already produced 1,679 pages of documents to Plaintiff in the underlying probate matter – *In re Estate of Kenneth H. Blaisdell, Jr.*, Case No. 21-PR-04895 – and the vast majority of the information and documents requested by Plaintiff's

discovery responses can be obtained from these previously-disclosed records.

4. As such, Mr. Brassard respectfully requests this Court enter orders denying Plaintiff's Motion as it relates to Mr. Brassard and the production of his discovery responses.

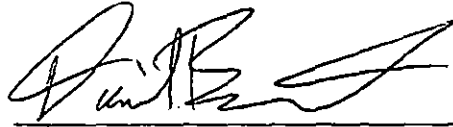
WHEREFORE, Mr. Brassard respectfully requests this Honorable Court enter orders:

- A. Denying *Plaintiff's Rule 37 Motion to Compel Defendants Courtney Brassard and Daniel Brassard's Responses to Discovery Made Pursuant to Rule 26*, filed February 14, 2024; and
- B. Granting such other relief as is deemed fair and just.

Dated at East Randolph, Vermont, this 28 day of February, 2025.

Respectfully submitted,

DANIEL BRASSARD

A handwritten signature in black ink, appearing to read "Daniel Brassard", written over a horizontal line.

Daniel Brassard