

Counsel Requesting Copy of My Pleadings

I recently joined a third-party to a family law action pending in California. Counsel for the new party asked me to provide her with a copy of my entire pleadings in the matter (probably about 100 pages). Should I agree to do so? If it matters, I am confident that our future interactions on this case will be highly contentious given our vastly different theories of the case.

Copy them as .pdfs to a CD and provide them - a little professional courtesy never hurts you . . .

Walter D. James III, Texas

I concur. I see no point in being contentious with OC just because your parties take different positions. There will be a need for a quid pro quod eventually. And it's not like the documents are confidential - they've been filed in court.

Sterling L. DeRamus, Alabama

I don't see why not, especially if it is not too hard for you to share the pleadings. (Next time you need a favor -- extension, etc. -- the counsel will remember it.) Also, why do you assume that all your future interactions will be highly contentious because you have different theories of the case? They don't have to be that way, unless that counsel has some personality issues.

Ekaterina Schoenefeld, New Jersey

I'm guessing he doesn't want to pay for the copies. I'd offer to email him copies beyond that he can go to the clerk's office and tell good luck and gods bless.

John Davidson, Pennsylvania

I presume contentious because the client avoided service for about a year, and if we prevail on our theory of the case, the client's boyfriend of many years would lose his business and be heavily sanctioned.

Original Poster

Not to beat a dead horse, but I also concur with everyone. If anything, it would make it less contentious. Couldn't make it worse because they will or could get a copy anyway (at the clerk's office for a small fee).

Chan Lengsavath, Nevada

It may very well be required. I believe in NY the third-party plaintiff has to serve all pleadings on the third-party defendant. But it's been a while since I checked that rule and I may be wrong.

But that's beside the point. Give a copy of the pleadings. What possible reason could there be for not providing a copy of 100 pages of documents.

Different theories of the case don't necessarily translate into contentious relationship. Opposing lawyers can be perfectly civil, pleasant and cooperative while having vastly different views of liability, damages, evidence, etc.

Patrick W. Begos, Connecticut

A losing case on their end? All the more reason calm and civil lawyers can settle the case quickly. A good OC can work one wonders on their crazy client.

Monica Elkinton, Alaska

I am not sure why your even considering that you shouldn't do this.

You can either gain good will by voluntarily turning over the documents or you can gain bad will be forcing them to ask for it ALL in discovery.

Further, since your rules likely require that you serve the opposing parties with all filed documents, the Judge would order you to turn them over anyways (absent discovery).

When we had new parties join into cases the first thing out of the judges mouth to the already existing parties is have you provided them with everything you have filed yet? And if not when can they expect to receive

it?

Erin M. Schmidt, Ohio

Definitely provide them with a PDF of all the documents. Just because your clients are adverse and contentious doesn't mean that your relationship with opposing counsel has to be painful. Sure, in many cases it ends up being that way but not all the time. You may actually be surprised!

Have a nice weekend!

Yours,

William Chuang

I once agreed to email a copy of my pleadings to OC to save him a trip to court a few days before a preliminary injunction hearing. It required little on my part and I ended having a great relationship with the attorney in part because of it.

Adam Sherwin, Massachusetts

I would scan them and send them to her via email. Never hurts to be nice.

Robert "Robby" W. Hughes, Jr., Georgia
