

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY**

JOHN DOE B.P.)	
)	
Plaintiff,)	
)	Case no.: 1016-CV-29995
vs.)	
)	Division 7
FATHER MICHAEL TIERNEY, et al.)	
)	
Defendants.)	

SNAP'S MOTION TO MODIFY ORDER

COME NOW the Survivors Network of those Abused by Priests ("SNAP") and David Clohessy, by and through their counsel of record, and hereby moves this Court to issue an order modifying its July 17, 2012 order.

In this order, the Court requires that SNAP produce documents under the Defendant Tierney's subpoena (as defined by this Court's June 1, 2012 order) by July 30, 2012. The same order also requires David Clohessy to appear for deposition by August 30, 2012. In the July 17, 2012 order, the Court states that SNAP's application for a writ to Western District Court of Appeals was denied that day. While this is correct, SNAP filed the same writ with the Missouri Supreme Court on July 19, 2012. On July 19, 2012, the Missouri Supreme Court ordered Respondent to file a response to the writ by noon on July 25, 2012. This response was filed. To date, SNAP is awaiting an order from the Supreme Court. Therefore, the writ process has not been exhausted yet.

If the writ before the Supreme Court is granted, this Court's July 17, 2012 order would become moot (if a temporary writ, it should continue to be stayed pending final resolution). If the writ is denied, then the review and production of these documents sought under the subpoena will require much more time than anticipated by the Court in its July 17, 2012 order. SNAP only has three full-time employees. The time and resources to review over 24 years of documents for this production will take much more than one month. This is especially true

given the amount of redaction that will need to occur. Therefore, if its writ is denied, SNAP would request that any documents required under the subpoena be produced within forty-five (45) days of said order, and that Clohessy be deposed within 30 days from that date.

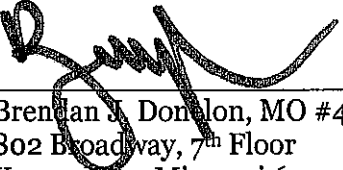
WHEREFORE, SNAP respectfully requests that this Court issue an order after the Missouri Supreme Court decides on SNAP's writ as follows: 1) if the Missouri Supreme Court grants the writ, then an order staying its July 17, 2012 order pending the completion of writ process; or 2) if the Missouri Supreme Court denies the writ, then an order that documents required under the subpoena be produced within forty-five (45) days of said order, and that Clohessy be deposed within 30 days from that date.

Respectfully submitted,

the law office of

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Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing was sent via U.S. Mail, first class postage prepaid, on July 30, 2012 to:

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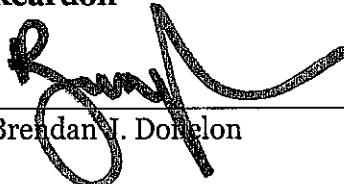
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