

DOCKET NO: LLI-CV21-5014019-S : SUPERIOR COURT
JON GOODWIN : J.D. OF LITCHFIELD
V. : AT TORRINGTON
RAYMOND J. MILOT, ET AL : JANUARY 31, 2026

PLAINTIFF’S REPLY TO DEFENDANT’S OBJECTION TO DEPOSITION

The Plaintiff, Jon Goodwin, respectfully objects to Defendant Raymond Milot’s Objection to Deposition dated January 27, 2026 (EN. 183), and states as follows:

1. Defendant’s Objection Misstates the Governing Scheduling Order

Defendant asserts that the November 5, 2025, modification of the scheduling order “did not extend or modify the deadline for fact witness depositions” and limited discovery to expert depositions only.

That assertion is directly contradicted by Defendant’s own Motion to Modify Scheduling Order dated November 5, 2025.

In that motion, Defendant expressly requested that the Court extend discovery to permit “Complete All Depositions: 6/30/26.”

The motion did not seek to limit depositions to experts, nor did it exclude party or fact witness depositions.

2. The Court’s Adoption of the Modified Schedule Supersedes the May 9, 2025 Order

Once the Court adopted the modified scheduling order proposed by Defendant, the earlier May 9, 2025, deposition deadlines ceased to control.

The operative order permits depositions through June 30, 2026.

Defendant cannot now rely on a superseded deadline after successfully obtaining a modification extending discovery.

3. Defendant Is Judicially Estopped From Opposing Depositions He Requested

Defendant requested, and obtained, a scheduling order allowing all depositions to proceed through June 30, 2026.

Defendant is therefore judicially estopped from asserting that Plaintiff's noticed deposition violates the Court's schedule.

A party may not induce the Court to enter an order and then argue the opposite position when it becomes inconvenient.

4. Plaintiff's Notice of Deposition Complies With the Practice Book

The deposition of a party is authorized under Practice Book §§ 13-26 and 13-27.

No leave of court is required where discovery is open and no stay has entered.

Plaintiff noticed the deposition within the discovery period authorized by the modified scheduling order.

5. Defendant Has Not Shown Undue Burden or Prejudice

Defendant's objection asserts "undue burden and prejudice" without identifying any facts to support that claim.

Conclusory assertions are insufficient to bar a properly noticed party deposition.

6. The Deposition Is Proportionate and Appropriate

Defendant's testimony is central to issues of intent, credibility, spoliation, and abuse of process.

The deposition is proportionate to the needs of the case and consistent with the Court's discovery framework.

WHEREFORE

For the foregoing reasons, Plaintiff respectfully requests that the Court:

1. Overrule Defendant's Objection to Deposition; and
2. Permit Plaintiff to proceed with the deposition of Defendant Raymond Milot as noticed, or on such date as the Court deems appropriate.

THE PLAINTIFF,

By: /s/ Jon A. Goodwin

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CERTIFICATION OF SERVICE

I certify that a copy of this document was mailed or delivered electronically or non-electronically on January 31, 2026, to all attorneys and self-represented parties of record and to all parties who have not appeared in this matter and that written consent for electronic delivery was received from all attorneys and self-represented parties receiving electronic delivery.

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