

DOCKET NO: LLICV215014019S

SUPERIOR COURT

GOODWIN, JON A.

V.

MILOT JUNIOR, RAYMOND J. Et Al

JUDICIAL DISTRICT OF LITCHFIELD
AT TORRINGTON

5/6/2026

ORDER

ORDER REGARDING:

04/06/2026 204.00 APPLICATION FOR ISSUANCE OF SUBPOENA BY SELF-REP PARTY - PB
SEC 7-19

The foregoing, having been considered by the Court, is hereby:

ORDER: GRANTED

in part.

“[T]he parent-child relationship ... is the earliest and most hallowed of the ties that bind humanity. . . . The child-parent relationship is unique in its emotional closeness, in its value to society and in its generation of enforceable legal rights and obligations” (internal citation omitted) *Campos v. Coleman*, 319 Conn. 36, 45, 47 123 A.3d 854, 860 (2015).

"Use of discovery as a fishing expedition may also be curtailed. Discovery is confined to facts material to the plaintiff's cause of action and does not afford an open invitation to delve into the defendant's affairs ... A plaintiff must be able to demonstrate good faith as well as probable cause that the information sought is both material and necessary to his action ... A plaintiff should describe with such details as may be reasonably available the material he seeks ... and should not be allowed to indulge a hope that a thorough ransacking of any information and material which the defendant may possess would turn up evidence helpful to [his] case ... What is reasonably necessary and what the terms of the judgment require call for the exercise of the trial court's discretion. . . . Fishing expedition is defined as: an attempt, through broad discovery requests or random questions, to elicit information from another party in the hope that something relevant might be found; esp., such an attempt that exceeds the scope of discovery allowed by procedural rules”(Citations omitted; internal quotation marks omitted.) *William Pitt Real Est., LLC v. MF2013, LLC*, No. LLICV185011376S, 2019 WL 2314555, at *2 (Conn. Super. Ct. Apr. 29, 2019). Other courts have rejected unfettered cell phone access. see *Gilead Scis., Inc. v. Khaim*, 755 F. Supp. 3d 285, 298 (E.D.N.Y. 2024)(citing *Alsaadi*, 2024 WL 2132467, at *3 (rejecting subpoena for two months of a party's unfettered cell phone data because the party seeking the data failed to narrow or tailor the range); *Coleman v. Reed*, No. CIV-15-1014-M, 2016 WL 4523915, at *2 (W.D. Okla. Aug. 22, 2016) (finding subpoena to cellphone provider requesting three days of Technical Records, Network Information, and Subscriber Information concerning a party's cellphone use was overbroad and limiting production to one-hour); *Kizer v. Starr Indem. & Liab. Co.*, No. CIV-18-846-D, 2019 WL 2017556, at *3 (W.D. Okla. May 6, 2019) (reducing subpoena request for cellphone records to 24 hours because the initial request of three days was overbroad); *Parker v. Bill Melton Trucking, Inc.*, No. 3:15-CV-2528-G-BK, 2017 WL 6554139, at *5-*6 (N.D. Tex. Feb. 3, 2017) (reducing subpoena for all of a party's cellphone records from the requested one day time frame to one hour before and after the events giving rise to the cause of action); *Latimore ex rel. Estate of Latimore v. Campbell*, No. 1:23-CV-00349 (DDD) (KAS), 2024 WL 4471980, at *2 (D. Colo. May 29, 2024) (finding subpoena seeking all call, voice, and text information from a party's cellphone overbroad as drafted in part because it was devoid of any reasonable temporal limitations).

Here, as evidenced by Interrogatory 51 and Request for Production number 7, that plaintiff's requests

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"All data, metadata, backups, documents agreements or evidence from and/or related to each electronic device" that the defendant and/or his children used or had access to from September 30, 2019 "until a date uncertain" Amended Complaint Count Six paragraph 15, Count Eighteen.

The plaintiff seeks to ransack the phones of the deponent from September 2019 to a date uncertain.

The court finds the plaintiff's request for production abusive and not proportional to the needs of the case. The deponent should appear for a deposition but need not bring the deponent's phone and need not turn the phone over to the plaintiff. The deposition shall occur at the Torrington courthouse at a convenient time for the deponent, all parties and counsel. Once the deposition is scheduled counsel shall notify the court clerk of the date and time of the deposition.

Judicial Notice (JDNO) was sent regarding this order.

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Judge: ANN E LYNCH

This document may be signed or verified electronically and has the same validity and status as a document with a physical (pen-to-paper) signature. For more information, see Section I.E. of the *State of Connecticut Superior Court E-Services Procedures and Technical Standards* (<https://jud.ct.gov/external/super/E-Services/e-standards.pdf>), section 51-193c of the Connecticut General Statutes and Connecticut Practice Book Section 4-4.