

DOCKET NO: LLI-CV21-5014019-S	:	SUPERIOR COURT
	:	J.D. OF LITCHFIELD
JON A. GOODWIN	:	AT TORRINGTON
<i>Plaintiff</i>	:	
v.	:	
	:	
RAYMOND J. MILOT, JUNIOR	:	JUNE 5, 2026
<i>Defendant</i>	:	

PLAINTIFF’S OPPOSITION TO DEFENDANT’S MOTION FOR PROTECTIVE ORDER AND MOTION FOR APPOINTMENT OF GUARDIAN AD LITEM

The Plaintiff, Jon A. Goodwin, opposes the Defendant’s Motion for Protective Order and Motion for Appointment of Guardian ad Litem.

The motion should be denied because the Court has already ordered that N.M. be deposed and directed counsel to work out the dates. The issue now is not whether the deposition should occur. The issue is Defendant’s counsel’s continuing to act in bad faith by refusing to provide dates or cooperate in scheduling the deposition, thereby frustrating the Court’s order and obstructing discovery. Plaintiff requests an order compelling immediate cooperation and, if necessary, setting the deposition date by court order.

I. INTRODUCTION

The Defendant’s motion attempts to relitigate a deposition issue already resolved by the Court. Plaintiff is the party seeking N.M.’s deposition, and the deposition has already been ordered. The only remaining question is implementation. Defendant’s counsel has refused to provide available dates, despite the Court’s directive that counsel work out the schedule.

Plaintiff seeks to take the deposition in the manner the Court has already authorized. Plaintiff also remains willing to proceed in the most practical forum available, including in a

courtroom at the Torrington Courthouse under judicial supervision, if the Court determines that is the best way to proceed.

Defendant's motion for a protective order is unsupported by the required factual showing, is untethered to the actual procedural posture of this case, and improperly seeks to use a separate family matter involving other parties to block discovery in this action. The motion for appointment of a guardian ad litem is likewise unsupported by any competent factual showing warranting that extraordinary step, and in any event does not justify delaying the already-ordered deposition.

II. RELEVANT PROCEDURAL HISTORY

Oblivious that Defendant Raymond J. Milot abused his disabled child to obtain sole custody of all three of his children and prevent their mother from seeing them, on October 19, 2023, the Danbury Family Superior Court entered parenting orders in a separate family matter involving Raymond J. Milot and Christine M. Milot. Those orders refer to the children's then-existing circumstances, including the fact that one child would soon be seventeen years old. Plaintiff was not a party to that family matter and was not bound by it.

In the present civil case, the Court has already ordered that N.M. be deposed and directed counsel to confer and work out deposition dates. Plaintiff has complied and stands ready to proceed. Defendant's counsel, however, has refused to provide dates or otherwise cooperate. That refusal is the immediate issue before the Court.

III. ARGUMENT

A. The Court should enforce its prior order requiring N.M.'s deposition to proceed.

The Court has already determined that N.M.'s deposition may proceed. The Defendant's current motion should not be treated as an invitation to revisit that ruling under the guise of a protective order or GAL request. The only legitimate question now is how to carry out the Court's order without further delay.

Connecticut practice permits discovery by deposition. Once the Court has ordered discovery to proceed, counsel are obligated to comply in good faith. A party may not frustrate a court order by refusing to provide dates or otherwise refusing to participate in scheduling. Where a party refuses to cooperate in discovery, the Court may enter appropriate orders to ensure compliance and may impose sanctions.

The statewide discovery standing order likewise contemplates prompt judicial resolution of deposition disputes and authorizes the Court to enter any appropriate order, including sanctions, when counsel cannot resolve the matter.

Plaintiff therefore requests an order:

1. Requiring Defendant's counsel to provide available deposition dates within a fixed period, such as three business days;
2. Requiring counsel to confer in good faith to finalize the deposition logistics immediately;
3. Providing that, if counsel cannot agree, the Court will set the deposition date by order; and

4. Confirming that the deposition shall proceed notwithstanding Defendant's continued refusal to cooperate.

B. Defendant has not shown good cause for a protective order.

A protective order requires a specific showing of good cause. Broad assertions, unsupported fears, and efforts to relitigate matters already decided do not satisfy that standard.

Here, Defendant's motion does not establish any particularized harm that would justify barring or delaying the deposition. The motion rests largely on the existence of a prior family court order involving different parties and on generalized claims about the minor child. That is not enough.

The fact that N.M. turns seventeen (17) years old this month cuts against the notion that a protective order is necessary to shield a very young or vulnerable child from inappropriate discovery methods. The Court can manage the deposition through ordinary safeguards without preventing it altogether. If Defendant believes some particular question, setting, or exhibit presentation requires adjustment, that issue can be addressed in the ordinary course at the deposition or by a narrowly tailored order. A blanket protective order is not warranted.

C. The Danbury family orders do not control this case and do not bar Plaintiff's requested deposition.

Defendant relies on a Danbury Family Superior Court order entered in a separate matter involving Raymond J. Milot and Christine M. Milot. Plaintiff was not a party to that case. Plaintiff was not given notice as a party, did not litigate that matter, and is not bound by orders entered there as though they were preclusive in this civil action.

More importantly, the family court order does not resolve the discovery issue here. It does not eliminate Plaintiff's right to seek relevant testimony in this case, especially where the Court

has already ordered the deposition to proceed. The Defendant cannot convert a family court parenting order into a discovery shield that blocks a deposition authorized in this matter.

D. Appointment of a guardian ad litem is not justified on this record and cannot be used to delay the deposition.

The appointment of a guardian ad litem is discretionary and should be based on an actual evidentiary showing, not on speculation or tactical preference. Defendant has submitted no affidavit, no competent evidence, and no factual record demonstrating that appointment of a GAL is necessary here.

N.M. is seventeen years old. Defendant's motion offers no legally sufficient explanation why the ordinary protections available in deposition practice are inadequate. Nor does it show that the appointment of a GAL is required to protect the child's interests in a deposition that the Court has already ordered to occur.

In any event, the GAL request appears to function as an attempt to interpose another layer of delay between the Court's order and the deposition Plaintiff is entitled to take. The Court should reject that tactic. If the Court believes any limited protective mechanism is necessary, it should be narrowly tailored and should not prevent the deposition from going forward.

E. The requested deposition should proceed in a courtroom at the Torrington Courthouse if that is the most practical forum.

Plaintiff continues to request N.M.'s deposition and seeks to proceed without unnecessary obstruction. Plaintiff is prepared to proceed in a courtroom at the Torrington Courthouse under judicial supervision.

That is the most practical way to conduct the deposition because it allows the parties to use exhibits effectively, maintain order, and address any issues in real time. The point is not to

avoid the deposition; the point is to complete it efficiently and in a manner consistent with the Court's order.

F. Defendant's refusal to provide dates warrants relief from the Court.

The present record shows that the Court ordered the deposition and directed counsel to work out the dates. Defendant's counsel has refused to provide dates. That refusal is not a legitimate discovery position; it is noncompliance.

The Court should not permit one side to veto a deposition the Court has already authorized simply by declining to cooperate in scheduling. If Defendant's counsel will not provide dates voluntarily, the Court should set them or enter a compliance order with a firm deadline.

IV. RELIEF REQUESTED

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

1. Deny Defendant's Motion for Protective Order;
2. Deny Defendant's Motion for Appointment of Guardian ad Litem;
3. Order Defendant's counsel to provide available deposition dates within a fixed period;
4. Order the parties to appear for N.M.'s deposition on a date certain to be set by agreement or by the Court;
5. Confirm that the deposition shall proceed in this case as previously ordered;
6. If necessary, direct that the deposition occur in a courtroom at the Torrington Courthouse under judicial supervision; and
7. Grant such other and further relief as the Court deems just and proper.

Submitted,

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 June 5, 2026 to all lawyers 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 lawyers and self-represented parties receiving electronic delivery.

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