

# Schenck Price

— SCHENCK PRICE SMITH & KING, LLP —

*Serving Our Clients and Community  
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**Mark K. Silver**

*Admitted in NJ, NY & PA*  
Direct Line: 973-798-4950  
Email: Mks@spsk.com

220 Park Avenue  
PO Box 991  
Florham Park, NJ 07932  
Telephone: 973-539-1000  
Fax: 973-540-7300  
www.spsk.com

March 28, 2023

**VIA E-FILING**

Hon. David J. Weaver, J.S.C.  
Sussex County Superior Court  
Sussex County Historic Courthouse  
3 High Street, 2<sup>nd</sup> Floor  
Newton, New Jersey 07860

**Re: Lauren Kanarek v. Sweet Grass Farm, LLC, et al.**  
**Docket No.: MRS-L-2250-19**

Dear Judge Weaver:

This firm represents Defendant, Sweet Grass Farm LLC (“Defendant” or “SGF”) with regard to the above-captioned matter. We write to update Your Honor with respect to Plaintiff’s pending Motion to Compel against SGF.

As you know one of the multiple motions pending before this Court is Plaintiff’s Motion to Compel Discovery [LCV2023924262]. Notwithstanding the fact that SGF’s response to the request at issue is still not yet due, in an attempt to resolve at least one of the multiple motions pending before the Court, earlier today, SGF served upon Plaintiff a formal response to the request at issue. A copy of the response is attached hereto at **Exhibit 1**.<sup>1</sup> A copy of the privilege log referenced in that letter is also attached.

It remains SGF’s position that it was not required to produce the documents in question until after Plaintiff’s deposition, but in order to resolve the issue it made the production now. As to the documents listed on the privilege log, it stands on its work-product objection.

It is SGF’s position that as a result of SGF’s production and response, Plaintiff is now required to withdraw the pending Motion to Compel.

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<sup>1</sup> SGF is not attaching the actual documents produced to Plaintiff as they should not be filed on the public docket at this time.

{03018027.DOCX;1 }



Hon. David J. Weaver, J.S.C.

March 28, 2023

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We thank the Court for its attention to this matter.

Respectfully submitted,

SCHENCK PRICE SMITH & KING LLP

*/s/ Mark K. Silver*

Mark K. Silver

MKS/me

Enc.

cc: Gregg Alan Stone, Esq. (via e-filing)  
Edward J. Bilinkas, Esq. (via e-filing)  
Christopher L. Deininger, Esq. (via e-filing)  
John P. Graves, Esq. (via e-filing)  
Lane M. Ferdinand, Esq. (via e-filing)

# **EXHIBIT 1**

# Schenck Price

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March 28, 2023

**VIA E-MAIL**

Gregg Alan Stone, Esq.  
Kirsch, Stone & Morgan  
50 Park Place, Suite 401  
Newark, New Jersey 07102

**Re: Lauren Kanarek v. Sweet Grass Farm, LLC, et al.  
Docket No.: MRS-L-2250-19**

Dear Mr. Stone:

As you know this office represents Defendant Sweet Grass Farm, LLC (“SGF”). This letter shall serve as SGF’s formal response to several outstanding discovery issues:

- 1) Pursuant to your March 13, 2023, email request asking for “the emails and texts from Sweet Grass Farm’s principals (John and Bonnie Lundberg) to and from Bart Anderson between 12/1/18 and 12/1/19”, SGF responds as follows:

**After conducting a search, neither John Lundberg nor Bonnie Lundberg is in possession of any texts or emails to or from Bart Anderson as they relate to the property at issue in this matter. They are in possession of texts to and from Bart Anderson with respect to repairs on their personal residence, but object to producing same as the request is overly broad, unduly burdensome, and not reasonably calculated to the discovery of admissible evidence and the cost to produce materials not relevant to this litigation is not proportionate to its relevancy, or in this case lack thereof.**

- 2) Pursuant to your March 9, 2023, email request asking for information and documentation in connection to “instances of harassment allegedly committed by Plaintiff in addition to the NC incident”, SGF responds as follows:

**SGF objects to this request to the extent that the request seeks information protected by the attorney-client privilege and/or work product doctrine. Notwithstanding and without waiving the objection, SGF reserves the right to rely on any and all documents or other materials that have been exchanged and produced in discovery, including those that have been produced by non-parties to this action. Additionally,**

{03017637.DOCX;1 }



Gregg Alan Stone, Esq.  
March 28, 2023  
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**SGF hereby supplements its previous document productions to include documents bates numbered, SGF 000069 – 000191, enclosed herewith. Additionally, SGF also encloses herewith a Privilege Log with respect documents SGF 0000192- 000249.**

Now that SGF has made the following production and response (in advance of any deadline set by the Court Rules), you are hereby requested to withdraw your pending Motion to Compel.

- 3) Although SGF does not believe it is necessary, in an abundance of caution, SGF hereby amends its previous discovery responses to identify and reserve the right to call as a witness at the time of trial any and/or all of the people identified in the list set forth in the .pdf file labeled as “Barisone Witness List”. That file was previously produced by co-Defendant Michael Barisone as part of his document production.
- 4) SGF is in receipt of the formal supplemental interrogatories and document requests served by Plaintiff on March 9, 2023. As SGF’s responses to these discovery requests are not yet due, SGF will provide responses under separate cover at the appropriate time.

Should you have any questions, please do not hesitate to contact me. Thank you.

Very truly yours,

SCHENCK PRICE SMITH & KING LLP

*/s/ Mark K. Silver*

Mark K. Silver

MKS/me  
Enc.

cc: John P. Graves, Esq.  
Lane M. Ferdinand, Esq.  
Christopher L. Deininger, Esq.  
Edward J. Bilinkas, Esq.

**Defendant Sweet Grass Farm, LLC's Privilege Log**

<b>BATES-PREFIX</b>	<b>BATES (START)</b>	<b>BATES (END)</b>	<b>AUTHOR</b>	<b>RECIPIENTS</b>	<b>DATE</b>	<b>DOCUMENT TYPE</b>	<b>SUBJECT MATTER / DESCRIPTION</b>	<b>REASON WITHHELD</b>
SGF	192	249			2/16/2023	Report	Summary reports of Plaintiff's background located by defense counsel during public records search of court records.	Public Records; Attorney Work Product