

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
08-CVS-13483

ROBERT HALF INTERNATIONAL INC.,)
)
Plaintiff,)
)
v.)
)
ROBERT E. REVIS,)
)
Defendant.)
)
_____)

BRIEF SUPPORTING MOTION FOR EXPEDITED DISCOVERY

Through the motion that this brief supports, the Plaintiff, Robert Half International Inc. (“RHI”) moves pursuant to Rules 26, 30 and 34 of the North Carolina Rules of Civil Procedure for entry of an Order directing Defendant Robert E. Revis and any other person or entity with notice of such Order to preserve documents discoverable in this action and permitting RHI to engage in discovery on an expedited basis. Good cause for allowing the Plaintiff’s motion is shown as follows.

1. RHI filed a Verified Complaint setting forth allegations of the violation of an employment contract containing provisions regarding confidentiality, non-solicitation of employees, non-solicitation of customers, and non-competition, as well as misappropriation of trade secrets in violation of the North Carolina Trade Secrets Protection Act.

2. RHI is suffering immediate and irreparable harm resulting from the Defendant’s conduct as alleged in the Verified Complaint. RHI intends, as soon as practicable, to move for a preliminary injunction requiring the Defendant to comply with his contractual obligations and the law.

3. Expedited discovery is appropriate because the Defendant's wrongful conduct is immediate and ongoing. The requested discovery is narrowly tailored to focus on the issues relevant to the Court's consideration of a motion for preliminary injunction and represents only a modest shortening of the otherwise applicable deadlines.

4. RHI's request for production of documents to the Defendant is attached to the Plaintiff's motion as Exhibit A. RHI requests that the Defendant be required, within thirty days of being served with the request, to produce responsive documents addressed to the undersigned as follows: Philip M. Van Hoy, 737 East Boulevard, Charlotte, NC, 28203.

5. RHI requests that it be permitted to notice the deposition of the Defendant and a corporate representative of the Defendant's current employer, Acsys, Inc., prior to the expiration of 30 days after service of the Summons and Complaint. Plaintiff intends to notice such depositions for the week of August 4-8, 2008.

6. Rules 26, 30 and 34 of the North Carolina Rules of Civil Procedure authorize the Court to order expedited discovery as requested by the Plaintiff.

7. This motion is made in good faith, based upon a reasonable belief that the Plaintiff is suffering immediate and irreparable harm by the Defendant's conduct and that expedited discovery will develop a record appropriate for the Court's consideration of a motion for preliminary injunction.

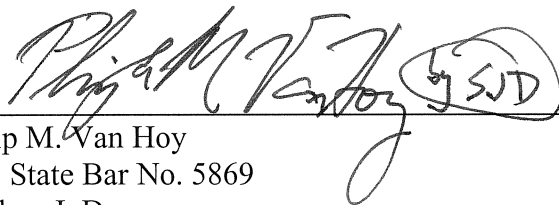
WHEREFORE, on the basis of the foregoing, Plaintiff requests entry of an Order providing as follows:

a. Defendant shall, within thirty days of being served with Plaintiff's First Request for Production of Documents, produce responsive documents to: Philip M. Van Hoy, 737 East Boulevard, Charlotte, NC, 28203.

b. RHI shall be permitted to notice the deposition of the Defendant and a corporate representative of Defendant's current employer, Acsys, Inc., prior to the expiration of 30 days after service of the Summons and Complaint.

c. The Defendant and any other person or entity with notice of the Court's order shall take reasonable measures to preserve discoverable documents and shall refrain from destroying documents that are discoverable in this action.

This 27 day of June, 2008.



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CERTIFICATE OF COMPLIANCE WITH RULE 15.8

I hereby certify that the Plaintiff's Brief Supporting its Motion For Expedited Discovery complies with the limitation on the length of briefs contained at Rule 15.8 of the General Rules of Practice and Procedure for the North Carolina Business Court.

This 27 day of June, 2008.



Stephen J. Dunn

CERTIFICATE OF SERVICE

I certify that I served the foregoing on the Defendant in this action by depositing a copy of the same in first class U.S. Mail, postage prepaid, addressed to him as follows:

Robert E. Revis
3461 Norwich Road
Fort Mill, SC 29715

This 27 day of June, 2008.



Stephen J. Dunn