

Plaintiff's back injury is the slightly dislocated vertebra and disc herniation, eruption. While Plaintiff has some slight normal degenerative disc disease the main issue is L5/S1 which is where the injury occurred. This is the most common injury from the type of backward fall which Plaintiff suffered. Plaintiff does not have any other back problem or pain except at the injury site. That is the only site which is being treated and is the issue of this lawsuit.

Plaintiff still cannot travel for a deposition because of her back injury as per her doctor's letter included in the motion to reconsider stay. There is no way Plaintiff can physically or financially fly to Texas to be deposed as Defendants stated is mandatory by this court. In case 352-248169-10 Defendants had audio depositions in two different states with their witnesses. Plaintiff could do a telephone deposition but cannot physically go to Texas which was the request for the stay.

During this entire case Defendant Amanda Lollar and Defendants' attorney Randy Turner have been abusing the judicial process for harassment purposes in hopes they will harass Plaintiff to the point the case will be voluntarily dismissed. Through their harassment, abuse of process, threats, they have succeeded. They have been harassing, threatening, defaming, humiliating, cyberstalking Plaintiff, abusing the discovery process, violating protective orders and abusing the judicial process in general.

For instance Turner demanded that Cummins who has a badly injured back fly from California to Texas to have a settlement conference in person. Cummins had already sent a written settlement offer which Defendants refused. Cummins stated to the court that any settlement conference can take place over the phone. There was no reason to fly to Texas.

The Court thankfully granted Plaintiff's request for telephone conference. Plaintiff made the same settlement offer and was refused. The offer was for very meager out of pocket and court

expenses. As expected the conference lasted two minutes. This is evidence that Turner wanted and still wants to abuse the judicial system to harass Plaintiff.

Defendant's attorney Turner also harassed and threatened Plaintiff's doctor on the phone demanding gynecological and breast records which this court stated he could not have and which the doctor does not even have. Plaintiff is forced to file this motion to dismiss merely to stop the harassment of Plaintiff and her doctors. Plaintiff has a very valid personal injury claim against Defendants.

PRAYER

WHEREFORE, PLAINTIFF MARY CUMMINS respectfully requests to dismiss this case. Plaintiff further requests that all of Plaintiff's discovery items, interrogatories be destroyed and/or put under a protective order.



Respectfully submitted,

Mary Cummins, Plaintiff
645 W. 9th St. #110-140
Los Angeles, CA 90015-1640
September 15, 2015
In Pro Per

CERTIFICATE OF CONFERENCE

I hereby certify that on September 15, 2015, I made a reasonable attempt to confer with Randall E. Turner, counsel for Respondents, about the merits of this motion. Mr. Turner indicated that he is not opposed to the Motion.

CERTIFICATE OF SERVICE

I, Mary Cummins, hereby certify that a copy of **PLAINTIFF'S MOTION TO DISMISS** was served on the Defendants' Attorneys of record by CM/ECF, FAX and EMAIL at,

Randy Turner
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Mary Cummins
September 15, 2015