

[attorney name redacted], Esq. (CSBN ////////////////)  
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Attorneys for Defendants the DIXON FURNITURE, INC,  
NANCY DIXON, and MATT DIXON  
**Note: all names have been changed.**

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES**

TOM BROWN,  
  
                    Plaintiff,  
  
                    vs.  
  
DIXON FURNITURE, INC.;  
NANCY DIXON;  
MATT DIXON; and  
DOES 1 through 100, Inclusive  
  
                    Defendants

Case Number:           [redacted]  
  
**REQUEST FOR ADMISSIONS; DECLARATION  
FOR ADDITIONAL DISCOVERY**  
  
**Asking Party:           DIXON FURNITURE, INC.**  
**Answering Party:       TOM BROWN**  
**Set No.                   ONE**  
  
Complaint filed:       [redacted]  
Assigned to:            [redacted]  
Dept:                    [redacted]  
  
Discovery cut-off:      none set  
Trial date:              none set

**TO PLAINTIFF TOM BROWN AND HIS ATTORNEY OF RECORD IN THE  
ABOVE-CAPTIONED MATTER:**

Defendant DIXON FURNITURE, INC. (hereinafter “**PROPOUNDING PARTY**”)  
hereby requests, pursuant to Code of Civil Procedure section 2033.210, *et seq.*, that Plaintiff  
TOM BROWN serve on PROPOUNDING PARTY a written response subscribed under oath  
within thirty days of service hereof, admitting the genuineness of the following documents

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2 and the truth of the following matters of fact, opinion relating to fact, and application of law  
3 to fact.

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5 These requests for admissions are being propounded on the grounds that each is  
6 relevant to the subject matter of this action or is reasonably calculated to lead to the  
7 discovery of admissible evidence.

## 8 **DEFINITIONS**

9 “**COMPLAINT**” as used herein shall mean the Complaint, filed on [redacted] in the  
10 above-entitled action.

11 “**YOU**” and “**YOUR**” as used herein shall mean Plaintiff TOM BROWN.

12 “**CORPORATION**” as used herein shall mean Defendant DIXON FURNITURE,  
13 INC.

14 “**DIXONS**” as used herein shall mean Defendants NANCY DIXON and MATT  
15 DIXON, both individually and jointly.

16 “**NAMED DEFENDANTS**” as used herein shall mean CORPORATION and the  
17 DIXONS.

18 “**MEDICAL LEAVE**” as used herein shall mean “Family care and medical leave” as  
19 defined at Government Code § 12945.2(c)(3)(C).

20 “**ABUSE**” as used herein shall mean any act of harassment, retaliation,  
21 discrimination, physical disability discrimination, perceived physical disability  
22 discrimination, intimidation, ostracization, name-calling, slander, insult, humiliation,  
23 revenge, and/or other abuse against YOU by any of the NAMED DEFENDANTS, or by any  
24 of their agents or employees, or by any combination of such persons, that YOU have alleged  
25 in the COMPLAINT or that YOU intend to allege in this action at any hearing or at trial.  
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3 **REQUESTS FOR ADMISSIONS**  
**RELATED TO THE GENUINENESS OF DOCUMENTS**

4 Request No. D-1.

5 Admit that the TERMINATION LETTER (Exhibit 1) is a genuine copy of the letter  
6 YOU received from CORPORATION terminating YOUR employment.  
7

8 **REQUESTS FOR ADMISSIONS**  
**NOT RELATED TO THE GENUINENESS OF DOCUMENTS**

9 Request No. 1.

10 Admit that, prior to YOUR termination by CORPORATION on November 21, 2006,  
11 YOU were aware that CORPORATION'S business was declining.  
12

13 Request No. 2.

14 Admit that, prior to YOUR termination by CORPORATION on November 21, 2006,  
15 YOU were aware that employee layoffs were likely to happen due to the decline in  
16 CORPORATION'S business.  
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18 Request No. 3.

19 Admit that YOUR termination by CORPORATION was due to the decline in its  
20 business.  
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22 Request No. 4.

23 Admit that CORPORATION did not employ 50 or more people at any time during  
24 the twelve months immediately prior to YOUR termination on November 21, 2006.  
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3 Request No. 5.

4 Admit that, contrary to YOUR allegations in COMPLAINT ¶ 33(d) that the NAMED  
5 DEFENDANTS “failed to give” YOU “an opportunity at any time to return to work,” and  
6 contrary to YOUR allegations in COMPLAINT ¶ 33(e) that the NAMED DEFENDANTS  
7 “refused to allow” YOU to retain YOUR “employee status and refused to return” YOU “to  
8 work,” on or about August 1, 2006 YOU did return to work.

9 Request No. 6.

10 Admit that YOU were never harassed during the course of YOUR employment at  
11 CORPORATION.

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13 Request No. 7.

14 Admit that YOU were never discriminated against during the course of YOUR  
15 employment at CORPORATION.

16 Request No. 8.

17 Admit that YOU were never retaliated against during the course of YOUR  
18 employment at CORPORATION.

19  
20 Request No. 9.

21 Admit that YOU were never ostracized during the course of YOUR employment at  
22 CORPORATION.

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24 Request No. 10.

25 Admit that YOUR termination by CORPORATION was unrelated to YOUR  
26 requesting to file a Worker’s Compensation claim.

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3 Request No. 11.

4 Admit that YOUR termination by CORPORATION was unrelated to any MEDICAL  
5 LEAVE.

6 Request No. 12.

7 Admit that YOUR termination by CORPORATION was unrelated to any  
8 INTERNAL GRIEVANCE.

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10 Request No. 13.

11 Admit that YOUR termination by CORPORATION was unrelated to any ABUSE.

12 Request No. 14.

13 Admit that YOUR termination by CORPORATION was unrelated to any DHS  
14 REPORT.

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16 Request No. 15.

17 Admit that each and every INTERNAL GRIEVANCE made by YOU was  
18 unreasonable, exaggerated and/or falsified.

19 Request No. 16.

20 Admit that at all times relevant to the COMPLAINT, each HOME contained a  
21 quantity of dust.

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23 Request No. 17.

24 Admit that at all times relevant to the COMPLAINT, the yard or common area  
25 adjacent to each HOME contained a quantity of cat hair.

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3 Request No. 18.

4 Admit that at all times relevant to the COMPLAINT, the yard or common area  
5 adjacent to each HOME contained a quantity of animal feces.

6 Request No. 19.

7 Admit that at all times relevant to the COMPLAINT, each CAR contained a quantity  
8 of dust.

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10 Request No. 20.

11 Admit that YOU never ate in the “outside eating area” described in COMPLAINT ¶  
12 10 that was near where the chickens and ducks were temporarily kept.

13 Request No. 21.

14 Admit that, contrary to YOUR allegations in COMPLAINT ¶ 63, the NAMED  
15 DEFENDANTS never made, adopted, or enforced any rule, regulation, or policy preventing  
16 YOU or anyone else from disclosing information to government and law enforcement  
17 agencies concerning any alleged violation of law by the NAMED DEFENDANTS.  
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19 Request No. 22.

20 Admit that YOU received the TERMINATION LETTER on November 21, 2006.

21 Request No. 23.

22 Admit that YOU received the TERMINATION LETTER via hand delivery to YOU  
23 when YOU were at work on the PROPERTY.  
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3 Request No. 24.

4 Admit that prior to YOUR making any DHS REPORT, YOU learned that  
5 CORPORATION was about to lay off several employees due to lack of business, and, as a  
6 consequence of such knowledge and as a hedge against YOUR being laid off, YOU made a  
7 DHS REPORT so that if YOU were among the employees laid off, YOU could falsely claim  
8 that the termination was in retaliation for YOUR making the DHS REPORT.

9 Request No. 25.

10 Admit that no act by CORPORATION or any of its agents or employees during the  
11 course of your employment at CORPORATION caused YOU to become “sick.”

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13 Request No. 26.

14 Admit that no act by CORPORATION or any of its agents or employees during the  
15 course of your employment at CORPORATION caused YOU to become “sore.”

16 Request No. 27.

17 Admit that YOU are not “lame.”

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19 Request No. 28.

20 Admit that no act by CORPORATION or any of its agents or employees during the  
21 course of your employment at CORPORATION caused YOU to become “disordered, both  
22 internally and externally.”

23 Request No. 29.

24 Admit that no act by CORPORATION or any of its agents or employees during the  
25 course of your employment at CORPORATION caused YOU to suffer “severe fright.”  
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Request No. 30.

Admit that no act by CORPORATION or any of its agents or employees during the course of your employment at CORPORATION caused YOU to suffer “severe shock.”

Request No. 31.

Admit that no act by CORPORATION or any of its agents or employees during the course of your employment at CORPORATION caused YOU to suffer “severe pain.”

Request No. 32.

Admit that no act by CORPORATION or any of its agents or employees during the course of your employment at CORPORATION caused YOU to suffer “severe discomfort.”

Request No. 33.

Admit that no act by CORPORATION or any of its agents or employees during the course of your employment at CORPORATION caused YOU to suffer “severe anxiety.”

Request No. 34.

Admit that no act by CORPORATION or any of its agents or employees during the course of your employment at CORPORATION caused YOU to suffer “permanent emotional and mental distress and anguish.”

Request No. 35.

Admit that no act by CORPORATION or any of its agents or employees during the course of your employment at CORPORATION caused YOU to suffer “humiliation.”

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3 Request No. 36.

4 Admit that contrary to YOUR allegation in COMPLAINT ¶¶ 25, 39, 54, 68 and 82  
5 that “[p]rior to the occurrence of the incidents,” YOU were “an able-bodied individual,”  
6 YOU were not able-bodied because, in truth and in fact, YOU were suffering from  
7 longstanding or chronic weaknesses in YOUR physical constitution due to a combination of  
8 genetic disposition, poor diet, unhealthy lifestyle outside work, tobacco smoking, alcohol  
9 consumption, substance abuse, aging, chronic “pre-asthma,” and/or other factors, which  
10 weaknesses were unrelated to YOUR employment at CORPORATION but that finally  
11 caught up with YOU and manifested as symptoms of illness at a time when YOU happened  
12 to be employed at CORPORATION, which symptoms YOU have incorrectly attributed to  
13 YOUR employment at CORPORATION.

14 Request No. 37.

15 Admit that prior to YOUR four years of employment at CORPORATION, and in  
16 connection with YOUR employment by another employer, YOU filed a lawsuit against that  
17 employer alleging that the employer’s working conditions caused you to develop asthma  
18 and/or pre-asthma.

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20 Request No. 38.

21 Admit that all employment alleged by YOU in the COMPLAINT refers to YOUR  
22 being an employee of CORPORATION.

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24 Request No. 39.

25 Admit that YOU have never been an employee of the DIXONS.

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2 Request No. 40.

3 Admit that YOU have no evidence that would support holding the DIXONS  
4 personally liable for the obligations of CORPORATION in this action (i.e. “piercing the  
5 corporate veil”).  
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7 Dated: \_\_\_\_\_

[redacted]

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11 [redacted], Attorneys for Defendants DIXON  
12 FURNITURE, INC., NANCY DIXON, and  
13 MATT DIXON.  
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**Exhibit 1**  
**TERMINATION LETTER**

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## DECLARATION FOR ADDITIONAL DISCOVERY

I, [redacted], declare:

1. I am the attorney for Defendants DIXON FURNITURE, INC., NANCY DIXON, and MATT DIXON, who are parties to this action.

2. I am propounding to Plaintiff TOM BROWN the attached set of requests for admission.

3. This set of requests for admission will cause the total number of requests propounded to the party to whom they are directed to exceed the number of requests permitted by Section 2033.030 of the Code of Civil Procedure.

4. I have previously propounded a total of zero requests for admission to this party.

5. This set of requests for admission contains a total of 41 requests, 40 of which are not related to the genuineness of documents.

6. I am familiar with the issues and the previous discovery conducted by all of the parties in this case.

7. I have personally examined each of the requests in this set of requests for admission.

8. This number of requests for admission is warranted under Section 2033.040 of the Code of Civil Procedure because of the large number of allegations in the Plaintiff's Complaint and the complexity of the matters alleged.

9. None of the requests in this set of requests is being propounded for any improper purpose, such as to harass the party, or the attorney for the party, to whom it is directed, or to cause unnecessary delay or needless increase in the cost of litigation.

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I declare under penalty of perjury under the laws of California that the foregoing is true and correct, and that this declaration was executed on March \_\_\_\_, 2008 at Los Angeles, California.

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Attorney for Defendants DIXON FURNITURE, INC., NANCY DIXON, and MATT DIXON.