

1
2 [attorney name redacted], Esq. (CSBN ///////////////#)
3 ///////////////
4 ///////////////
5 ///////////////
6 ///////////////
7 ///////////////

8 Attorneys for Defendants the DIXON FURNITURE, INC,
9 NANCY DIXON, and MATT DIXON
10 **Note: all names have been changed.**

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

13 TOM BROWN,
14 Plaintiff,
15 vs.
16 DIXON FURNITURE, INC.;
17 NANCY DIXON;
18 MATT DIXON; and
19 DOES 1 through 100, Inclusive
20 Defendants

Case Number: [redacted]
DEMAND FOR PRODUCTION OF DOCUMENTS
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

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

23 Defendant DIXON FURNITURE, INC. (hereinafter “PROPOUNDING PARTY”)
24 hereby demands, pursuant to Code of Civil Procedure section 2031.010, et seq., that Plaintiff
25 TOM BROWN (hereinafter “RESPONDING PARTY”) serve on PROPOUNDING PARTY a
26 written response subscribed under oath within thirty days of service hereof, which shall

1
2 include all the information requested. The documents, writings, and/or things demanded
3 shall also be made available for inspection and copying at the following date, time and place:

4 Date: _____

5 Time: _____

6 Place: [redacted]

7 [redacted]

8 [redacted], California

9 The original of each document (or a complete and legible copy if RESPONDING
10 PARTY does not have the original within his possession, custody, or control) shall be
11 produced at the above-stated date, time and place, unless complete and legible copies of all
12 such documents are received at the Law Offices of [redacted] as provided herein below. Any
13 such production of copies is without prejudice to the right of the PROPOUNDING PARTY to
14 inspect and copy the original of each document at a future date.

15 This demand for production of documents is being propounded on the grounds that
16 each item requested is relevant to the subject matter of this action or is reasonably calculated
17 to lead to the discovery of admissible evidence. Each item requested is believed to be in the
18 custody, possession, or control of the RESPONDING PARTY and/or his attorneys, agents,
19 representatives and/or custodians of documents of RESPONDING PARTY, and is not
20 privileged. This demand may be complied with by mail if the RESPONDING PARTY
21 submits copies of the documents requested to PROPOUNDING PARTY'S attorney of record
22 on or before the date listed above for inspection and/or copying, accompanying by a
23 declaration, signed under penalty of perjury, stating that the documents are true and exact
24 copies and may be used in place of the originals.
25

1
2 Failure to comply with this Demand for Production of Documents will result in a
3 formally noticed motion to compel discovery, and all costs incurred in bringing such motion
4 will be sought.
5

6 **DEFINITIONS**

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

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

10 “**CORPORATION**” as used herein shall mean Defendant DIXON FURNITURE,
11 INC.

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

14 “**NAMED DEFENDANTS**” as used herein shall mean CORPORATION and the
15 DIXONS.

16 “**WC CLAIM**” as used herein shall mean any Worker’s Compensation claim filed by
17 YOU with any government agency at any time within the past 15 years.

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.
26

1
2 “**INTERNAL GRIEVANCE**” as used herein shall mean any complaint made by
3 YOU to the NAMED DEFENDANTS or to any of their agents or employees concerning any
4 aspect of YOUR employment at CORPORATION.
5

6 “**PROPERTY**” as used herein shall mean the real property in Gardena, California on
7 which CORPORATION operates its business and YOU were required to work when YOU
8 were employed by CORPORATION.

9 “**TERMINATION LETTER**” as used herein shall mean **Exhibit 1** attached hereto,
10 which sets forth a letter dated November 21, 2006 from CORPORATION to YOU stating
11 that YOU are terminated.

12 “**DHS**” as used herein shall mean the County of Los Angeles Department of Health
13 Services.

14 “**DHS LETTER**” as used herein shall mean **Exhibit 2** attached hereto, which sets
15 forth a letter dated November 21, 2006 from DHS to the owner of the PROPERTY.

16 “**DHS REPORT**” as used herein shall mean any report that YOU made to DHS
17 concerning alleged violations of the Los Angeles County Code on the PROPERTY.

18 “**INJURY**” as used herein shall mean any of the “injuries” YOU allege in
19 COMPLAINT ¶¶ 23, 37, 52, 66 and 80 that YOU have suffered wherein YOU were
20 “rendered sick, sore, lame, disabled and disordered, both internally and externally, and
21 suffered, among other things, numerous internal injuries, severe fright, shock, pain
22 discomfort and anxiety,” and/or that YOU allege in COMPLAINT ¶¶ 26, 40, 55, 69 and 83
23 that YOU “did suffer, and continue[] to suffer severe and permanent emotional and mental
24 distress and anguish, humiliation, embarrassment, fright, shock, pain, discomfort and
25 anxiety.”
26

1
2
3 **“PERMANENT INJURY”** as used herein shall mean any INJURY that YOU allege
4 in COMPLAINT ¶¶ 23, 37, 52, 66 and 80 to be “reasonably certain to be permanent in
5 character.”

6 **“DOCUMENT”** as used herein shall mean each and every “writing” as defined in
7 Section 250 of the California Evidence Code (“handwriting, typewriting, printing,
8 photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and
9 every other means of recording upon any tangible thing, any form of communication or
10 representation, including letters, words, pictures, sounds, or symbols, or combinations
11 thereof, and any record thereby created, regardless of the manner in which the record has
12 been stored”), including, without limitation, papers, notes, letters, records, reports, books,
13 writings, invoices, statements, billing statements, receipts, accountings, ledgers, blueprints,
14 photostats, photocopies, photographs, insurance policies, minutes, agendas, contracts,
15 agreements, summaries, notations of any sort of conversations, diaries, appointment books,
16 calendars, electronic mails (including emails), computer data (including, without limitation,
17 information and programs stored in a computer, whether or not ever printed out or
18 displayed), all graphic or manual, electronic or digital records or representations of any kind,
19 including, without limitation, photographs, microfiche, microfilm, videotapes, records,
20 motions pictures, tapes, cassettes, discs, and magnetic cards, and every other means of
21 recording upon any tangible thing, and including, without limitation, all drafts, alterations,
22 modifications, changes, amendments, originals and all non-identical copies, whether different
23 from the originals by reason of any notation made on such copies or otherwise, of any of the
24 foregoing.

1
2 “**DOCUMENTS**” as used herein shall mean the plural of DOCUMENT, which plural
3 shall include the singular.

4 “**DOCUMENT IDENTIFICATION**” as used herein shall mean, with respect to any
5 DOCUMENT, (a) the title or other name of the DOCUMENT, (b) the approximate page
6 count of the DOCUMENT, and (c) the INDIVIDUAL IDENTIFICATION of the person
7 YOU believe possesses or controls the DOCUMENT.

8 “**PHYSICIAN**” as used herein shall mean any physician licensed to practice in any
9 state within the United States.

10 “**MEDICAL RECORD**” as used herein shall mean the DOCUMENTS created by
11 any PHYSICIAN who has examined, diagnosed or treated YOU anytime in the past five
12 years, including all DOCUMENTS arising from any doctor visits YOU made pursuant to any
13 INJURY.

14 “**MEDICAL RECORDS**” as used herein shall mean the plural of MEDICAL
15 RECORD, which plural shall include the singular.

16
17 / / / /

18 / / / /

19 / / / /

20 / / / /

21 / / / /

22 / / / /

23 / / / /

24 / / / /

25 / / / /

1
2
3 **DOCUMENTS TO BE PRODUCED**

4 Production Demand No. 1.

5 All DOCUMENTS related to any WC CLAIM.

6 Production Demand No. 2.

7 All DOCUMENTS related to YOUR allegations in COMPLAINT ¶¶ 17, 18h and 62
8 that YOUR termination by CORPORATION was not due to lack of business.

9 Production Demand No. 3.

10 All DOCUMENTS related to YOUR allegation in COMPLAINT ¶ 32 that the
11 NAMED DEFENDANTS “regularly employed 50 or more people.”

12 Production Demand No. 4.

13 All DOCUMENTS related to YOUR allegation in COMPLAINT ¶ 33(c) that the
14 NAMED DEFENDANTS or any of their agents or employees “terminated and retaliated
15 against” YOU because of YOUR “entitlement to and/or requesting and/or taking” MEDICAL
16 LEAVE.
17

18 Production Demand No. 5.

19 All DOCUMENTS related to any ABUSE.

20 Production Demand No. 6.

21 All DOCUMENTS related to YOUR allegation in COMPLAINT ¶ 20 that the
22 NAMED DEFENDANTS or any of their agents or employees “knew about, or should have
23 known about, and failed to investigate and/or properly investigate, prevent or remedy” any
24 “physical disability and perceived physical disability discrimination.”
25
26

1
2
3 Production Demand No. 7.

4 All DOCUMENTS related to YOUR allegation in COMPLAINT ¶ 34 that the
5 NAMED DEFENDANTS or any of their agents or employees “knew about, or should have
6 known about, and failed to investigate and/or properly investigate, prevent or remedy” any
7 “retaliation and discrimination.”

8 Production Demand No. 8.

9 All DOCUMENTS related to YOUR allegations in COMPLAINT ¶ 49 that YOUR
10 complaints about “unsafe workplace” were “motivating reasons and/or factors” in the
11 NAMED DEFENDANTS terminating YOU.

12
13 Production Demand No. 9.

14 All DOCUMENTS related to YOUR allegations in COMPLAINT ¶¶ 20 and 34 that
15 YOUR complaints about “unlawful conduct” were “motivating reasons and/or factors” in any
16 conduct of the NAMED DEFENDANTS or of any of their agents or employees that caused
17 YOU to be harassed, discriminated against, retaliated against or terminated.

18 Production Demand No. 10.

19 All DOCUMENTS related to YOUR allegations in COMPLAINT ¶ 62 that YOUR
20 complaints about “violations of State and/or Federal law” were “a motivating factor and/or
21 reason” in the NAMED DEFENDANTS terminating YOU.

22
23 Production Demand No. 11.

24 All DOCUMENTS related to YOUR allegations in COMPLAINT ¶ 63 that the
25 NAMED DEFENDANTS “made, adopted, and enforced rules, regulations, and policies
26 preventing” YOU or anyone else “from disclosing information to government and law

1
2 enforcement agencies” concerning any alleged violation of law by the NAMED
3 DEFENDANTS.

4
5 Production Demand No. 12.

6 All MEDICAL RECORDS.

7
8 Production Demand No. 13.

9 All DOCUMENTS related to YOUR being employed by the DIXONS (as opposed to
10 YOUR being employed by CORPORATION).

11 Production Demand No. 14.

12 All DOCUMENTS related to YOUR holding the DIXONS personally liable for the
13 obligations of CORPORATION in this action (i.e. “piercing the corporate veil”).

14
15
16 Dated: _____

[redacted]

17
18 _____
19 [redacted], Attorneys for Defendants DIXON
20 FURNITURE, INC., NANCY DIXON, and
21 MATT DIXON.