

[attorney name redacted], Esq. (CSBN ////////////////)
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Attorneys for Plaintiff GFH PROPERTIES,
a California General Partnership

Names have been changed. This action is by the owner of a shopping center property against a large commercial retailer and its affiliates for abuse of the property. The action includes unlawful detainer—rents were always timely paid, but the retailer failed to comply with other terms of the lease including maintenance of the property and providing various insurance certificates to the owner. I also wrote a separate ex parte application for an order shortening time on this motion. Both the ex parte and the motion were granted.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO

GFH PROPERTIES, a California
general partnership,

Plaintiff,

vs.

[Five defendant names redacted];
and DOES 3-40, Inclusive,

Defendants.

Case No. [redacted]

**PLAINTIFF GFH PROPERTIES’ NOTICE OF
MOTION AND MOTION TO COMPEL
DEFENDANTS TO PROVIDE FURTHER VERIFIED
RESPONSES, WITHOUT OBJECTION, TOGETHER
WITH IDENTIFICATION AND PRODUCTION OF
DOCUMENTS AND REQUEST FOR MONETARY
SANCTIONS AGAINST DEFENDANTS AND THEIR
ATTORNEY OF RECORD 1[REDACTED];
MEMORANDUM OF POINTS AND AUTHORITIES;
DECLARATION OF ATTORNEY [REDACTED] IN
SUPPORT THEREOF
[CCP § 2031.310]**

The following documents are lodged herewith:
Separate Statement [CRC Rule 3.1020]
[Proposed] Order

Date: [redacted]
Time: 9:00 a.m.
Dept.: [redacted]

Discovery Cut Off: [redacted]
U.D. Trial Date: [redacted]

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2 **TO THE COURT, ALL PARTIES, AND DEFENDANTS' COUNSEL OF RECORD,**
3 **DORSEY & WHITNEY LLP:**
4

5 PLEASE TAKE NOTICE AND NOTICE IS HEREBY GIVEN THAT on October
6 12, 2007 at 9:00 a.m., in Department [redacted] of the San Diego Superior Court, [redacted]
7 Division, located at [redacted], Plaintiff GFH PROPERTIES, a California general
8 partnership, will, and hereby does, move the court for an order **(a)** compelling Defendants
9 [redacted] (hereinafter collectively the **“Five Defendants”**) to serve on Plaintiff further
10 verified responses, without objection, together with identification and production of
11 responsive documents, on or before October 15, 2007 to the DEMAND FOR PRODUCTION
12 AND COPYING OF DOCUMENTS AND MATERIALS, Set One (hereinafter the
13 **“Production Demand”**), that was separately and lawfully propounded on each of the Five
14 Defendants, that made 20 identical Requests on each of the Five Defendants, which were to
15 be produced by September 24, 2007, and **(b)** imposing a \$6,120 monetary sanction against
16 the Five Defendants and their counsel of record, DORSEY & WHITNEY LLP for their
17 misuse of the discovery process.

18 The motion (hereinafter the **“Motion to Compel Production”**) is being brought
19 under Code of Civil Procedure (hereinafter **“CCP”**) §§2031.310 and 20310.320, in that the
20 objections made by the Five Defendants are without merit, the statements of compliance are
21 incomplete, the categories contained in the request for identification and production are
22 proper and warranted, as to some of the Requests, the Five Defendants have made statements
23 of compliance but have failed to identify and produce documents in accordance therewith,
24 and reasonable good faith meet and confer efforts to obtain further verified responses,
25 without objection, together with identification and production have been unsuccessful. A
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2 monetary sanction is warranted under CCP §§2031.310(d) and 20310.320(b) for the blatant
3 and appalling abuse of discovery by the Five Defendants and their counsel.
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5 Th Motion to Compel Production is made and based upon this Notice of Motion and
6 Motion, the accompanying Memorandum of Points and Authorities, the accompanying
7 Declaration of Attorney [redacted], the concurrently filed Separate Statement (hereinafter the
8 “**Separate Statement**”), the entire file, and any other and further oral and/or documentary
9 evidence that this court may chose to consider at the time of the hearing of this matter.

10 DATED: October 8, 2007

11 [REDACTED] LAW CORPORATION
12

13 By: _____
14

[REDACTED]
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Attorney for Plaintiff, GFH PROPERTIES, a California
General Partnership
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Memorandum of Points and Authorities

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1. Introduction and Meet and Confer Efforts

5 The discovery cutoff passed on Oct. 10, 2007, and trial on the unlawful detainer
6 matter is set for October 18, 2007, which is just six days from now. The Five Defendants
7 have intentionally evaded Plaintiff's Production Demand, thereby necessitating the Motion to
8 Compel Production. The Five Defendants are playing discovery games by making
9 voluminous and unwarranted objections, by delivering demanded documents in dribs and
10 drabs, by promising to deliver documents but not delivering them, and by withholding
11 numerous demanded documents that Plaintiff needs to prepare for trial on the unlawful
12 detainer matter.

13 As supported by the ATTORNEY DECLARATION, ¶ 3, on September 18, 2007, the
14 Plaintiff served the Production Demand on the Five Defendants. True and correct copies
15 thereof, as to each Defendant, are attached hereto as **Exhibits A through E**.

16 As supported by the ATTORNEY DECLARATION, ¶ 4, on Sept. 24, 2007 the Five
17 Defendants served a joint single joint Response (hereinafter the "**Response**"), a true and
18 correct copy of which is attached hereto as **Exhibit G**, to which was rubber-banded 447
19 consecutively numbered pages (hereinafter the "**Medium Pile**"), some of which were stapled
20 or paper clipped together.

21 As supported by the ATTORNEY DECLARATION, ¶ 5, on Sept. 28, 2007,
22 Plaintiff's counsel [redacted] faxed and mailed to [redacted], counsel for the Five
23 Defendants, a meet and confer letter (hereinafter "**Meet and Confer Letter One**"), a true
24 and correct copy of which is attached hereto as **Exhibit H**.

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3 As supported by the ATTORNEY DECLARATION, ¶ 6, on Sept. 28, 2007, after
4 opposing counsel had received Meet and Confer Letter One, the two counsel had a telephone
5 conversation to meet and confer (hereinafter the “**Meet and Confer Conversation**”). In that
6 conversation, Plaintiff’s counsel pointed out that Plaintiff has a right to have the original
7 documents produced and for the documents to be provided either as they are kept in the usual
8 course of business, or organized and labeled to correspond with the categories in the Request,
9 neither of which she [opposing counsel] had done. She replied that the originals could not be
10 inspected as they are kept in the usual course of business because they are kept in [redacted
11 location outside California]. She made no offer to provide the necessary organization and
12 labeling of the undifferentiated Medium Pile to correspond with the 20 Requests. Plaintiff’s
13 counsel also demanded that the Five Defendants provide a Privilege Log, to which she
14 incorrectly replied that there was no such requirement. Plaintiff’s counsel also demanded
15 that she produce insurance policies, in reply to which she promised that she would produce
16 both insurance policies. Plaintiff’s counsel also demanded that she produce policy and
17 procedure manuals, in reply to which she promised that she would produce policy and
18 procedure manuals.

19 As supported by the ATTORNEY DECLARATION, ¶ 7, on Oct. 1, 2007 the Five
20 Defendants served an additional 47 consecutively numbered pages (hereinafter the “**Small**
21 **Pile**”) with a letter indicating the pages were responsive to Request No. 2. However,
22 notwithstanding Opposing counsel’s said promise, the Small Pile contains no policy and
23 procedure manuals.

24 As supported by the ATTORNEY DECLARATION, ¶ 8, on Oct. 3, 2007 Plaintiff’s
25 counsel faxed and mailed another meet and confer letter to Opposing counsel (hereinafter
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2 “Meet and Confer Letter Two”), a true and correct copy of which is attached hereto as
3 **Exhibit I.**

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5 As supported by the ATTORNEY DECLARATION, ¶ 9, on Oct. 5, 2007 the Five
6 Defendants served an additional 3,014 consecutively numbered pages (hereinafter the “**Big**
7 **Pile**”) with a letter indicating the pages were all the insurance policies with respect to the
8 leased premises, presumably in response to Request No. 1. The Big Pile contains 23
9 insurance-related documents, some of which are hundreds of pages in length, which may be
10 responsive to Plaintiff’s demand for insurance policies in Request No. 1. However, the
11 premium amounts are redacted throughout the entire Big Pile.

12 As supported by the ATTORNEY DECLARATION, ¶ 10, no other communication
13 or document has been received from the Five Defendants or from their counsel pursuant to
14 Plaintiff’s demand for production.

15 As supported by the ATTORNEY DECLARATION, ¶ 11, the responses received are
16 wholly inadequate, and Plaintiff will be seriously disadvantaged at trial, including at the trial
17 on the unlawful detainer matter, unless the Five Defendants produce all the documents
18 demanded. Hence, the Motion to Compel Production is necessary.

19
20 **2. The Court Has the Authority to Order the Five Defendants to**
21 **Serve Further Responses to the 20 Requests, Without Objection,**
22 **and to Identify and Produce All Requested Documents.**

23 CCP § 2031.010 allows a party to make a demand to identify and produce documents.
24 Of this there is no doubt.

25 To compel a further response, CCP § 2031.310 provides as follows:

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3 (a) On receipt of a response to an inspection demand, the party
4 demanding an inspection may move for an order compelling further
5 response to the demand if the demanding party deems that any of the
6 following apply:

7 (1) A statement of compliance with the demand is incomplete.

8 (2) A representation of inability to comply is inadequate,
9 incomplete, or evasive.

10 (3) An objection in the response is without merit or too general.

11 (b) A motion under subdivision (a) shall comply with both of the
12 following:

13 (1) The motion shall set forth specific facts showing good cause
14 justifying the discovery sought by the inspection demand.

15 (2) The motion shall be accompanied by a meet and confer
16 declaration under Section 2016.040.

17
18 To compel identification and production, CCP § 2031.320, provides as follows:

19 (a) If a party filing a response to a demand for inspection under
20 Section 2031.210, 2031.220, 2031.230, 2031.240, and 2031.280
21 thereafter fails to permit the inspection in accordance with that party's
22 statement of compliance, the party demanding the inspection may
23 move for an order compelling compliance.

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25 Therefore the Court has the authority to order the Five Defendants to serve further
26 responses to the 20 requests, without objection, and to identify and produce all requested
27 documents.

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**3. Further Verified Responses, Without Objection, Together with
Complete Identification and Production, Are Warranted.**

CCP § 2017.010 provides as follows:

Unless otherwise limited by order of the court in accordance with this
title, any party may obtain discovery regarding any matter, not
privileged, that is relevant to the subject matter involved in the
pending action or to the determination of any motion made in that
action, if the matter either is itself admissible in evidence or appears
reasonably calculated to lead to the discovery of admissible evidence.
Discovery may relate to the claim or defense of the party seeking
discovery or of any other party to the action. Discovery may be
obtained of the identity and location of persons having knowledge of

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2 any discoverable matter, as well as of the existence, description,
3 nature, custody, condition, and location of any document, tangible
4 thing, or land or other property.

5 CCP § 2031.210 provides as follows:

6 (a) The party to whom an inspection demand has been directed shall
7 respond separately to each item or category of item by any of the
8 following:

- 9 (1) A statement that the party will comply with the particular
10 demand for inspection and any related activities.
11 (2) A representation that the party lacks the ability to comply with
12 the demand for inspection of a particular item or category of item.
13 (3) An objection to the particular demand.

14 CCP § 2031.220, provides as follows:

15 A statement that the party to whom an inspection demand has been
16 directed will comply with the particular demand shall state that the
17 production, inspection, and related activity demanded will be allowed
18 either in whole or in part, and that all documents or things in the
19 demanded category that are in the possession, custody, or control of
20 that party and to which no objection is being made will be included in
21 the production.

22 CCP § 2031.230, provides as follows:

23 A representation of inability to comply with the particular demand for
24 inspection shall affirm that a diligent search and a reasonable inquiry
25 has been made in an effort to comply with that demand. This statement
26 shall also specify whether the inability to comply is because the
27 particular item or category has never existed, has been destroyed, has
28 been lost, misplaced, or stolen, or has never been, or is no longer, in
the possession, custody, or control of the responding party. The
statement shall set forth the name and address of any natural person or
organization known or believed by that party to have possession,
custody, or control of that item or category of item.

CCP § 2031.240, provides as follows:

(a) If only part of an item or category of item in an inspection demand
is objectionable, the response shall contain a statement of compliance,
or a representation of inability to comply with respect to the remainder
of that item or category.

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- 3 (b) If the responding party objects to the demand for inspection of an
- 4 item or category of item, the response shall do both of the following:
- 5 (1) Identify with particularity any document, tangible thing, or land
- 6 falling within any category of item in the demand to which an
- 7 objection is being made.
- 8 (2) Set forth clearly the extent of, and the specific ground for, the
- 9 objection. If an objection is based on a claim of privilege, the
- 10 particular privilege invoked shall be stated. If an objection is based
- 11 on a claim that the information sought is protected work
- 12 product under Chapter 4 (commencing with Section 2018.010),
- 13 that claim shall be expressly asserted.

14 CCP § 2031.280, provides as follows:

- 15 (a) Any documents produced in response to an inspection demand
- 16 shall either be produced as they are kept in the usual course of
- 17 business, or be organized and labeled to correspond with the categories
- 18 in the demand.

19 As is set forth in the Separate Statement, the Five Defendants’ Response and their

20 purported “production” completely fail to comply with these procedures as defined by the

21 Legislature.

22 Therefore, further verified responses, without objection, together with complete

23 identification and production, are warranted.

24 **4. The Court Should Impose a \$6,120 Sanction Against the Five**

25 **Defendants and Their Counsel of Record for Misuse of Discovery.**

26 The above-described conduct of the Five Defendants and their counsel of record,

27 [redacted] (hereinafter collectively the “**Opponents**”), constitutes the misuse of the discovery

28 process. CCP § 2023.010 defines nine specific misuses of discovery, and, as discussed

below, the Opponents are guilty of three of them. In striking contrast, as supported by the

ATTORNEY DECLARATION, ¶ 12, Plaintiff has produced all requested documents

without any objections whatsoever.

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3 Discovery cutoff is Oct. 10, 2007, and trial on the unlawful detainer matter is set for
4 Oct. 18, 2007. Notwithstanding the extreme proximity of these crucial dates, the Opponents
5 have engaged in a discovery game of making voluminous objections without producing a
6 Privilege Log, and then delivering documents in dribs and drabs, so as to delay production of
7 the most important material until after trial on the unlawful detainer matter.

8 Specifically, the Opponents have “Fail[ed] to respond or to submit to an authorized
9 method of discovery.” CCP § 2023.010(d). They have made “without substantial
10 justification,.... unmeritorious objection[s] to discovery.” CCP § 2023.010(e). And they have
11 made “evasive response[s] to discovery.” CCP § 2023.010(f).

12 CCP § 2031.310(d) and CCP § 2031.320(b) identically provide, “The court shall
13 impose a monetary sanction under Chapter 7 (commencing with Section 2023.010) against
14 any party, person, or attorney who unsuccessfully.... opposes a motion to compel further
15 response to an inspection demand....” (Emphasis added.)

16 As supported by the ATTORNEY DECLARATION, ¶ 13, Plaintiff has incurred the
17 costs of \$120.00 and attorney fees of \$6,000 bringing this Motion to Compel Production and
18 bringing the Ex Parte on October 9, 2007 in connection herewith. This totals \$6,120.00.

19 Therefore, the Court should impose a \$6,120 sanction against the Five Defendants
20 and their counsel of record for misuse of discovery.

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3 **5. Conclusion**

4 For the foregoing reasons the Court should GRANT the motion and issue the
5 proposed order lodged herewith.

6 DATED: September 10, 2007

7 [REDACTED] LAW CORPORATION

8 By: _____

9 [REDACTED]

10 Attorney for Plaintiff, GFH PROPERTIES, a California
11 General Partnership

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3 **Declaration of Attorney [redacted]**

4 I, [REDACTED], declare:

5 1. I am a resident of Los Angeles County, I am over the age of 18 and not a party
6 to the within action; my business address is [redacted].

7 2. I am incorporating by reference the definitions set forth in the Notice of
8 Motion and Memorandum of Points and Authorities above.

9 3. On September 18, 2007, my office served the Production Demand on the Five
10 Defendants. The Production Demand was served in five distinct forms (one addressed to
11 each of the Five Defendants), and to each was attached an identical Exhibit setting forth the
12 20 Requests. A true and correct copy of the Production Demand addressed to Defendant
13 [redacted] is attached hereto as **Exhibit A**. A true and correct copy of the Production
14 Demand addressed to Defendant [redacted] is attached hereto as **Exhibit B**. A true and
15 correct copy of the Production Demand addressed to Defendant [redacted] is attached hereto
16 as **Exhibit C**. A true and correct copy of the Production Demand addressed to Defendant
17 [redacted] . is attached hereto as **Exhibit D**. A true and correct copy of the Production
18 Demand addressed to Defendant [redacted] is attached hereto as **Exhibit E**. A true and
19 correct copy of the proof of service for the Production Demand is attached hereto as **Exhibit**
20 **F**.

21 4. On Sept. 24, 2007 the Five Defendants served a joint single joint Response, a
22 true and correct copy of which is attached hereto as **Exhibit G**, which was received at my
23 office. Rubber-banded to the Response were 447 consecutively numbered pages (the
24 Medium Pile), some of which were stapled or paper clipped together.

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3 5. On Sept. 28, 2007, my office faxed and mailed to [redacted], counsel for the
4 Five Defendants, Meet and Confer Letter One, a true and correct copy of which is attached
5 hereto as **Exhibit H**.

6 6. On Sept. 28, 2007, after Opposing counsel had received Meet and Confer
7 Letter One, she and I had a telephone conversation (the Meet and Confer Conversation). In
8 that conversation, I pointed out that we have a right to have the original documents produced
9 and for them to be provided either as the documents are kept in the usual course of business,
10 or organized and labeled to correspond with the categories in the Request, neither of which
11 she had done. Opposing counsel replied that the originals could not be inspected as they are
12 kept in the usual course of business because they are kept in [redacted location outside
13 California]. She made no offer to provide the necessary organization and labeling of the
14 undifferentiated Medium Pile to correspond with the 20 Requests. I also demanded that she
15 provide a Privilege Log, to which she incorrectly replied that she was not required to produce
16 a Privilege Log. I also demanded that she produce insurance policies, in reply to which she
17 promised that she would produce both insurance policies. I also demanded that she produce
18 policy and procedure manuals, in reply to which she promised that she would produce policy
19 and procedure manuals.

20 7. On Oct. 1, 2007 my office received from the Five Defendants an additional 47
21 consecutively numbered pages (the Small Pile) with a letter from Opposing counsel
22 indicating the pages were responsive to Request No. 2. However, Request No. 2 includes a
23 demand for policy and procedure manuals, and, notwithstanding Opposing counsel's above-
24 stated promise, the Small Pile contains no policy or procedure manuals.

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3 8. On Oct. 3, 2007 my office faxed and mailed Meet and Confer Letter Two to
4 Opposing counsel, a true and correct copy of which is attached hereto as **Exhibit I**.

5 9. On Oct. 5, 2007 my office received from the Five Defendants an additional
6 3,014 consecutively numbered pages (the Big Pile) with a letter from Opposing counsel
7 indicating the pages were all the insurance policies with respect to the leased premises,
8 presumably in response to Request No. 1. The Big Pile contains 23 insurance-related
9 documents, some of which are hundreds of pages in length, which may be responsive to
10 Plaintiff's demand for insurance policies in Request No. 1. However, the premium amounts
11 are redacted throughout the entire Big Pile.

12 10. My office has received no other communication or document from the Five
13 Defendants or from their counsel pursuant to Plaintiff's demand for production.

14 11. The responses received are wholly inadequate, and my client will be seriously
15 disadvantaged at trial, including at the trial on the unlawful detainer matter, unless the Five
16 Defendants produce all the documents demanded. Hence, the Motion to Compel Production
17 is necessary.

18 12. In striking contrast, my client has willingly produced all documents requested
19 by the Five Defendants dating all the way back to 1975 and without objection. On Sept. 24,
20 2007, I arrived at the Law Offices of [redacted] where I met with Opposing counsel to
21 produce five boxes of my client's documents, plus constructions plans in another package.
22 To save my client unnecessary expense, I made the trip alone, rather than bringing an
23 assistant with me. It was therefore necessary for me to go to and from my car several times
24 to bring up all the boxes. I placed the boxes in the conference area of the law offices trusting
25 that Opposing counsel would be ethical and leave the boxes where I placed them. She did

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2 not. While I was on one of my trips to my car, the boxes were removed from the conference
3 area and placed in a private area of the law offices. I confronted Opposing counsel about this
4 and explained that she had no business taking control of my client's property. She replied
5 that the documents were too voluminous to be copied on that day and that she would have a
6 document service take care of the copying. I replied that that was neither necessary nor
7 acceptable and that the documents could not be released from my immediate control. I
8 demanded that she return the boxes to the conference area. She refused, whereupon I said I
9 would go back and get them myself. She then threatened to call the police, to which I
10 replied, "Go ahead." She then backed down, the boxes were brought back into my control,
11 and all the necessary copying was done in my presence on that day.
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13 13. As a consequence of the Five Defendants' misuse of the discovery process,
14 my client has incurred the costs of \$120.00 and attorney fees of \$6,000, as follows:

15 Ex Parte Application to shorten time (heard Oct. 9, 2007):

16 Filing Fee and Ex Parte Fee \$80

17 Attorney Fees (8 hours) \$2,000

18 Motion to Compel Production:

19 Filing Fee \$40

20 Attorney Fees (16 hours) \$4,000

21 I certify under penalty of perjury that the foregoing is true and correct.

22 Executed on October 8, 2007, at Los Angeles, California.

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25 [REDACTED]

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Exhibit A

Production Demand addressed to [redacted].

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Exhibit B

Production Demand addressed to [redacted]

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Exhibit C

Production Demand addressed to [redacted]

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Exhibit D

Production Demand addressed to [redacted]

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Exhibit E

Production Demand addressed to [redacted]

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Exhibit F

Proof of service for the Production Demand

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Exhibit G

Response served by the Five Defendants

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Exhibit H

Meet and Confer Letter One, dated Sept. 28, 2007

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Exhibit I

Meet and Confer Letter Two, dated Oct. 3, 2007

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2 [attorney name redacted], Esq. (CSBN ///////////////)
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8 Attorneys for Plaintiff GFH PROPERTIES,
9 a California General Partnership

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF SAN DIEGO**

12 GFH PROPERTIES, a California
13 general partnership,

14 Plaintiff,

15 vs.

16 [Five defendant names redacted];
17 and DOES 3-40, Inclusive,

18 Defendants.

Case No. [redacted]

[PROPOSED] DISCOVERY ORDER

Date: [redacted]

Time: 9:00 a.m.

Dept.: [redacted]

19 On [redacted] at 9:00 a.m., Plaintiff GFH PROPERTIES’ MOTION TO COMPEL
20 DEFENDANTS TO PROVIDE FURTHER VERIFIED RESPONSES, WITHOUT
21 OBJECTION, TOGETHER WITH IDENTIFICATION AND PRODUCTION OF
22 DOCUMENTS AND REQUEST FOR MONETARY SANCTIONS AGAINST
23 DEFENDANTS AND THEIR ATTORNEY OF RECORD 1[REDACTED];
24 MEMORANDUM OF POINTS AND AUTHORITIES; DECLARATION OF ATTORNEY
25 [REDACTED] IN SUPPORT THEREOF (hereinafter the “**Motion to Compel Production**”)
26 came on regularly for noticed hearing. Plaintiff appeared by counsel [redacted]. Defendants

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2 [redacted] (hereinafter collectively the “**Five Defendants**”) appeared by counsel
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4 _____
5 The Motion to Compel Production was made pursuant to the DEMAND FOR
6 PRODUCTION AND COPYING OF DOCUMENTS AND MATERIALS, Set One
7 (hereinafter the “**Production Demand**”), that was separately and lawfully propounded on
8 each of the Five Defendants and that made 20 identical Requests on each of the Five
9 Defendants.

10 Good cause being shown, IT IS ORDERED that:

11 (a) The Five Defendants shall serve on the Plaintiff’s counsel, [redacted] Law
12 Corporation, no later than 5:00 p.m. on October 15, 2007, verified
13 responses to the Production Demand, without objection, together with
14 identification and production of all requested documents.

15 (b) The Five Defendants’ counsel of record, 1[redacted], is ordered to pay a sanction
16 of \$ _____ to Plaintiff’s counsel, [redacted] Law Corporation,
17 on or before Oct. October 15, 2007.

18 **IT IS SO ORDERED.**

19 DATED: _____

20 _____
21 Judge or Commissioner
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