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9 Attorney for Defendant
10 STEPHEN LAKE

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
11/23/2022 at 05:07:00 PM
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By Regina Chanez, Deputy Clerk

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO, HALL OF JUSTICE

AMY SHERLOCK, an individual and on
behalf of her minor children, T.S. and S.S.,
ANDREW FLORES, an individual;

Plaintiffs,

vs.

GINA M. AUSTIN, an individual; AUSTIN
LEGALGROUP, a professional corporation,
LARRY GERACI, an individual, REBECCA
BERRY, an individual; JESSICA
MCELFRESH, an individual; SALAM
RAZUKI, an individual; NINUS MALAN, an
individual; FINCH, THORTON, AND
BARID, a limited liability partnership;
ABHAY SCHWEITZER, an individual and
dba TECHNE; JAMES (AKA JIM)
BARTELL, an individual; NATALIE
TRANG-MY NGUYEN, an individual,
AARON MAGAGNA, an individual;
BRADFORD HARCOURT, an individual;
SHAWN MILLER, an individual; LOGAN
STELLMACHER, an individual;
EULENTIAS DUANE ALEXANDER, an
individual; STEPHEN LAKE, an individual,
ALLIED SPECTRUM, INC., a California
corporation, PRODIGIOUS COLLECTIVES,
LLC, a limited liability company, and DOES 1
through 50, inclusive,

Defendants.

CASE NO.: 37-2021-0050889-CU-AT-CTL

**DECLARATION OF ANDREW HALL IN
SUPPORT OF MOTION TO COMPEL
RESPONSES TO REQUESTS FOR
PRODUCTION OF DOCUMENTS AND
FOR MONETARY SANCTIONS
AGAINST PLAINTIFFS**

Hearing Date: February 17, 2023
Hearing Time: 9:00 a.m.

Case Filed: December 3, 2021
Department: C-75
Judge: Hon. James Mangione
Trial Date: N/A

1 **DECLARATION OF ANDREW HALL**

2 I, Andrew Hall, hereby declare as follows:

3 1. I am an attorney duly licensed in California and am an attorney at the Blake Law Firm
4 (“BLF”), attorneys of record for Defendant STEPHEN LAKE (“Defendant” or “LAKE”). I am over the
5 age of 18 and the following facts are of my own knowledge, except as to those matters herein stated to
6 be upon information and belief, and as to those facts I am informed and believe them to be true. If called
7 as a witness, I could and would testify competently to the statements in this declaration.

8 2. I have personally worked on books, records and files, and as to the following facts, I
9 know them to be true of my own knowledge, or I have gained knowledge of them from the business
10 records of BLF, all of which were made at or about the time of the events recorded, and which are
11 maintained in the ordinary course of business at or near the time of the acts, conditions or events to
12 which they relate. Any such document was prepared in the ordinary course of business of BLF by a
13 person who had personal knowledge of the event being recorded and had or has a business duty to record
14 accurately those events. The business records are available for inspection and copies can be submitted
15 to the Court if required. If called as a witness, I could and would testify competently thereto.

16 3. On July 26, 2022, LAKE served Requests for Production of Documents, Set One
17 (“RFD”) and Form Interrogatories, Set One (“FI”) on Plaintiff AMY SHERLOCK (“Plaintiff” or
18 “SHERLOCK”) (FI and RFD shall hereinafter be collectively referred to as “Discovery”). Attached
19 hereto and incorporated by reference as **Exhibit 1** is a true and correct copy of the RFD served on
20 SHERLOCK. Attached hereto and incorporated by reference as **Exhibit 2** is a true and correct copy of
21 the FI served on SHERLOCK. Attached hereto and incorporated by reference as **Exhibit 3** is a true and
22 correct copy of the Proof of Service of the FI and RFD on SHERLOCK.

23 4. On August 2, 2022, I received an email from Andrew Flores, counsel for SHERLOCK,
24 agreeing to accept service by email. The mail came from andrew@floreslegal.pro, which is the email
25 address at which the Discovery was served. Attached hereto and incorporated by reference as **Exhibit**
26 **4** is a true and correct copy of the email agreeing to accept service by email.

1 5. On August 15, 2022, Mr. Flores requested an extension of time to respond to the
2 Discovery to November 21, 2022, which I provided. Attached hereto and incorporated by reference as
3 **Exhibit 5** is a true and correct copy of the email from Mr. Flores confirming the November 21, 2022
4 deadline to respond to the Discovery.

5 6. On October 27, 2022, Mr. Flores appeared *ex parte* to request a stay of the case pending
6 the outcome of a pending appeal of a party unrelated to this motion. I was present at the hearing The
7 Court denied the request and confirmed that there was no stay, including a stay on discovery, in place
8 in the action.

9 7. After the hearing, I sent an email to Mr. Flores confirming my understanding that no stay
10 was in place and that the discovery responses would be due on November 21. Attached hereto and
11 incorporated by reference as **Exhibit 6** is a true and correct copy of my email.

12 8. I never received a response to my October 27, 2022 email. In fact, I have had no further
13 communication with Mr. Flores regarding discovery since my October 27, 2022 email.

14 9. As of the date of the filing of this motion, SHERLOCK has provided no responses to
15 either the FI or the RFD.

16 10. My customary hourly rate is \$450/hr. I spent 4 hours preparing this motion and anticipate
17 spending another 2 hours drafting a reply to any opposition and attending the hearing on this motion for
18 a total of 5 hours or \$2,700. Further, I anticipate that LAKE will incur a \$60 filing fee for this Motion
19 and another \$60 filing fee for the filing of a reply brief for total costs of \$120.

20 California that the foregoing matters are true and correct and based in my personal knowledge
21 and, if called upon to testify, I would and could testify truthfully to these matters. Executed on
22 November 23, 2022, in Carlsbad, California.

23
24 

25 _____
ANDREW HALL

EXHIBIT 1

1 Steven W. Blake, Esq., SBN 235502
Andrew E. Hall, Esq., SBN 257547
2 **BLAKE LAW FIRM**
533 2nd Street, Suite 250
3 Encinitas, CA 92024
Phone: (858) 232-1290
4 Email: *steve@blakelawca.com*
Email: *andrew@blakelawca.com*
5

6 Attorneys for Defendant,
STEPHEN LAKE
7

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF SAN DIEGO, HALL OF JUSTICE**
10

11 AMY SHERLOCK, an individual and on
12 behalf of her minor children, T.S. and S.S.,
CHRISTOPHER WILLIAMS, an individual,
13 ANDREW FLORES, an individual

14 Plaintiffs,

15 vs.

16 GINA M. AUSTIN, an individual; AUSTIN
LEGAL GROUP, a professional corporation;
17 LARRY GERACI, an individual; REBECCA
BERRY, an individual; JESSICA
18 MCELFFRESH, an individual; SALAM
RAZUKI, an individual; NINUS MALAN, an
19 individual; FINCH, THORTON, AND
BAIRD, a limited liability partnership;
20 ABHAY SCHWEITZER, an individual and
dba TECHNE; JAMES (AKA JIM)
21 BARTELL, an individual; NATALIE
TRANG-MY NGUYEN, an individual;
22 AARON MAGAGNA, an individual;
BRADFORD HARCOURT, an individual;
23 SHAWN MILLER, an individual; LOGAN
STELLMACHER, an individual;
24 EULENTHIAS DUANE ALEXANDER, an
individual; STEPHEN LAKE, an individual;
25 ALLIED SPECTRUM, INC., a California
corporation; PRODIGIOUS COLLECTIVES,
26 LLC, a limited liability company; and DOES 1
through 50, inclusive,
27

28 Defendants.

Case No. **37-2021-00050889-CU-AT-CTL**

**REQUEST FOR PRODUCTION OF
DOCUMENTS**
[SET ONE]

Case Filed: December 3, 2021
Judge: Hon. James A Mangione
Dept.: C-75
Trial Date: Not Set

1 **Propounding Party:** Defendant STEPHEN LAKE

2 **Responding Party:** Plaintiff AMY SHERLOCK

3 **Set Number:** One

4 **PLEASE TAKE NOTICE** that pursuant to California Code of Civil Procedure §§2031.210,
5 *et. seq.*, you are requested to respond to the following Requests for Production, Set One, under oath
6 within thirty (30) days of service hereof. You are further requested to identify and produce for
7 inspection and copying, the documents in the below-numbered categories. The production shall take
8 place at 10:00 a.m. at the Blake Law Firm, 533 2nd Street, Suite 250, Encinitas, CA 92024, within
9 thirty (30) days from the date these requests are served.

10 If any document has been destroyed, lost, discarded, or misplaced, you must furnish a list
11 identifying each such document, its date, author, addressee and each person to whom it was
12 furnished, as well as a description of the circumstances under which the document was destroyed,
13 lost, discarded or misplaced. Should you withhold any document on the basis of a claim of privilege,
14 you must provide the following information with respect to each document withheld:

- 15 (1) The date of the document;
- 16 (2) The identity of the person(s) who authorized the document;
- 17 (3) The identity of the persons(s) to whom the document was directed;
- 18 (4) The substance of the document with sufficient particularity to enable the court and
19 the parties to this action to identify the document;
- 20 (5) The privilege asserted; and
- 21 (6) The basis on which the privilege is claimed.

22 These Requests are continuing in nature. If, after responding to the Requests, you obtain
23 additional responsive documents, you are required to produce all such subsequently acquired
24 documents.

25 **DEFINITIONS**

26 1. The terms “DOCUMENT” and/or “DOCUMENTS” means any and all “writings,” as
27 that term is defined in California Evidence Code §250 and California Code of Civil Procedure
28 §2031.010 *et seq.*, including but not limited to any tangible items which contains handwriting,

1 typewriting, printing, photostatic reproduction, photographic reproduction, electronic reproduction,
2 and any other form of communications or representation whether produced, reproduced or stored on
3 paper, emails, text messages, cards, tapes, discs, belts, charts, films (including microfilm or
4 microfiche), computer storage devices or any other medium of recordation that are in YOUR
5 possession, custody or control, or the possession, custody or control of any of YOUR agents,
6 attorneys, representatives and anyone acting or purporting to act for or on their behalf.

7 2. The term “COMMUNICATION(S)” is used in the broadest sense, and includes but is
8 not limited to, any transmission or exchange of information between two or more persons, orally or
9 in writing, and includes any conversation or discussion, whether face-to-face or by means of a
10 telephone, telegraph, telex, telecopier, facsimile transmission, e-mail, text message, social media,
11 electronic, or other medium.

12 3. The terms “RELATING TO” and “RELATED TO” when used herein, shall mean and
13 refer to the following: including, in whole or in part, arising out of, comprising, embodying,
14 supporting, substantiating, containing, reflecting, memorializing, recording, constituting,
15 evidencing, setting forth, mentioning, concerning, discussing, describing, analyzing, studying,
16 reporting on, commenting on, identifying, noting, stating, considering, dealing with, pertaining to,
17 or referring to, in any manner.

18 4. The terms “PERSON” and “PERSONS” when used herein, mean and refer to a natural
19 person, firm, association, organization, partnership, business, trust, limited liability company,
20 corporation, or public entity.

21 5. The terms “YOU” and “YOUR” when used herein, mean and refer to Plaintiff AMY
22 SHERLOCK, and anyone acting or purporting to act on her behalf.

23 6. The term “LAKE” when used herein, means Defendant STEPHEN LAKE, and anyone
24 acting or purporting to act on his behalf.

25 7. The term “HARCOURT” when used herein, means Defendant BRADFORD
26 HARCOURT, and anyone acting or purporting to act on his behalf.

27 8. The term “BIKER” when used herein, means Michael “Biker” Sherlock, and anyone
28 acting or purporting to act on his behalf.

1 9. The term “FAC” when used herein, means and refers to the First Amended Complaint
2 filed by YOU against LAKE and others, on or about December 22, 2021, in the San Diego Superior
3 Court, as Case No. 37-2021-0050889-CU-AT-CTL.

4 10. The term “BALBOA PROPERTY” when used herein, means and refers to real property
5 commonly known as 8863 Balboa Avenue, Unit E, San Diego, California 92123, as defined in
6 footnote 4 of YOUR FAC.

7 11. The term “BALBOA CUP” when used herein, means and refers to the conditional use
8 permit purportedly issued in association with the BALBOA PROPERTY, as alleged in footnote 4 of
9 YOUR FAC.

10 12. The term “RAMONA PROPERTY” when used herein, means and refers to real property
11 commonly known as 1210 Olive Street, Ramona, CA 92065, as defined in footnote 3 of YOUR FAC.

12 13. The term “RAMONA CUP” when used herein, means and refers to the conditional use
13 permit purportedly issued in association with the RAMON PROPERTY, as alleged in footnote 3 of
14 YOUR FAC.

15 14. The term “ENTERPRISE” when used herein, means and refers to the “small group of
16 wealthy individuals and their agents that have conspired to create an unlawful monopoly in the
17 cannabis market in the City and County of San Diego,” as YOU allege in paragraph 1 of YOUR
18 FAC.

19 15. The term “SHERLOCK PARTNERSHIP” when used herein, means and refers to the
20 alleged partnership between BIKER, LAKE, and HARCOURT as asserted in paragraph 66 of YOUR
21 FAC.

22 16. The term “LERE” when used herein, means and refers to Leading Edge Real Estate,
23 LLC, as referenced in paragraph 69 of YOUR FAC.

24 17. The term “UP” when used herein, means and refers to United Patients Consumer
25 Cooperative, as referenced in paragraph 71 of YOUR FAC.

26 18. The term “SHERLOCK PROPERTY” when used herein, means and refers to BIKER’s
27 alleged interest in the “Partnership Agreement, LERE, and the Balboa and Ramona CUPS,” as stated
28 in paragraph 71 of YOUR FAC.

1 19. The term “HOA LITIGATION” when used herein, means and refers to the alleged
2 lawsuit filed by the homeowners association of the BALBOA PROPERTY as alleged in paragraph
3 72 of YOUR FAC.

4 **REQUESTS FOR PRODUCTION**

5 **REQUEST FOR PRODUCTION NO. 1:**

6 Please produce all DOCUMENTS RELATED TO YOUR claim that LAKE was or is a part of
7 the ENTERPRISE.

8 **REQUEST FOR PRODUCTION NO. 2:**

9 Please produce all COMMUNICATIONS RELATED TO YOUR claim that LAKE was or is
10 a part of the ENTERPRISE.

11 **REQUEST FOR PRODUCTION NO. 3:**

12 Please produce all DOCUMENTS RELATED TO YOUR assertion that LAKE has numerous
13 connections and relationships with principals and agents of the ENTERPRISE, as YOU assert in
14 paragraph 39 of YOUR FAC.

15 **REQUEST FOR PRODUCTION NO. 4:**

16 Please produce the RAMONA CUP.

17 **REQUEST FOR PRODUCTION NO. 5:**

18 Please produce the BALBOA CUP.

19 **REQUEST FOR PRODUCTION NO. 6:**

20 Please produce all DOCUMENTS RELATED TO the RAMONA CUP, including but not
21 limited to any applications, approvals, or transfer requests.

22 **REQUEST FOR PRODUCTION NO. 7:**

23 Please produce all COMMUNICATIONS RELATED TO the RAMONA CUP.

24 **REQUEST FOR PRODUCTION NO. 8:**

25 Please produce all DOCUMENTS RELATED TO the BALBOA CUP, including but not
26 limited to any applications, approvals, or transfer requests.

27 **REQUEST FOR PRODUCTION NO. 9:**

28 Please produce all COMMUNICATIONS RELATED TO the BALBOA CUP.

1 **REQUEST FOR PRODUCTION NO. 10:**

2 Please produce all DOCUMENTS RELATED TO the SHERLOCK PARTNERSHIP.

3 **REQUEST FOR PRODUCTION NO. 11:**

4 Please produce all COMMUNICATIONS RELATED TO the SHERLOCK PARTNERSHIP.

5 **REQUEST FOR PRODUCTION NO. 12:**

6 Please produce all DOCUMENTS RELATED TO the RAMONA PROPERTY.

7 **REQUEST FOR PRODUCTION NO. 13:**

8 Please produce all COMMUNICATIONS RELATED TO the RAMONA PROPERTY.

9 **REQUEST FOR PRODUCTION NO. 14:**

10 Please produce all DOCUMENTS RELATED TO the BALBOA PROPERTY.

11 **REQUEST FOR PRODUCTION NO. 15:**

12 Please produce all COMMUNICATIONS RELATED TO the BALBOA PROPERTY.

13 **REQUEST FOR PRODUCTION NO. 16:**

14 Please produce all DOCUMENTS RELATED TO LERE.

15 **REQUEST FOR PRODUCTION NO. 17:**

16 Please produce all COMMUNICATIONS RELATED TO LERE.

17 **REQUEST FOR PRODUCTION NO. 18:**

18 Please produce all DOCUMENTS RELATED TO the SHERLOCK PROPERTY, including
19 but not limited to any interest held by BIKER in any of the items comprising the SHERLOCK
20 PROPERTY.

21 **REQUEST FOR PRODUCTION NO. 19:**

22 Please produce all COMMUNICATIONS RELATED TO the SHERLOCK PROPERTY.

23 **REQUEST FOR PRODUCTION NO. 20:**

24 Please produce all DOCUMENTS RELATED TO the HOA LITIGATION.

25 **REQUEST FOR PRODUCTION NO. 21:**

26 Please produce all COMMUNICATIONS RELATED TO the HOA LITIGATION.

27 **REQUEST FOR PRODUCTION NO. 22:**

28

1 Please produce all DOCUMENTS corroborating YOUR allegations in paragraphs 75 through
2 77 of YOUR FAC.

3 **REQUEST FOR PRODUCTION NO. 23:**

4 Please produce all DOCUMENTS corroborating YOUR allegation in paragraph 87 of YOUR
5 FAC.

6 **REQUEST FOR PRODUCTION NO. 24:**

7 Please produce all DOCUMENTS RELATED TO any handwriting reports, including the
8 report prepared on or about February 15, 2020 as alleged in paragraph 88 of YOUR FAC.

9 **REQUEST FOR PRODUCTION NO. 25:**

10 Please produce all COMMUNICATIONS RELATED TO any handwriting reports, including
11 the report prepared on or about February 15, 2020 as alleged in paragraph 88 of YOUR FAC.

12 **REQUEST FOR PRODUCTION NO. 26:**

13 Please produce all DOCUMENTS provided to any handwriting expert(s) in this case used to
14 prepare any handwriting reports.

15 **REQUEST FOR PRODUCTION NO. 27:**

16 Please produce all DOCUMENTS RELATED TO SHERLOCK's participation in the San
17 Diego cannabis market.

18 **REQUEST FOR PRODUCTION NO. 28:**

19 Please produce all COMMUNICATIONS RELATED TO SHERLOCK's participation in the
20 San Diego cannabis market.

21 **REQUEST FOR PRODUCTION NO. 29:**

22 Please produce all DOCUMENTS RELATED TO SHERLOCK's claim, if any, that LAKE
23 was a participant in the San Diego cannabis market.

24 **REQUEST FOR PRODUCTION NO. 30:**

25 Please produce all COMMUNICATIONS RELATED TO SHERLOCK's claim, if any, that
26 LAKE was a participant in the San Diego cannabis market.

27 **REQUEST FOR PRODUCTION NO. 31:**

28 Please produce all DOCUMENTS that demonstrate BIKER's ownership interest in each of the

1 items comprising the SHERLOCK PROPERTY.

2 **REQUEST FOR PRODUCTION NO. 32:**

3 Please produce all DOCUMENTS that demonstrate the Sherlock Family’s ownership interest
4 in each of the items comprising the SHERLOCK PROPERTY, as alleged in paragraph 286 of YOUR
5 FAC.

6 **REQUEST FOR PRODUCTION NO. 33:**

7 Please produce all DOCUMENTS RELATED TO LAKE’s alleged conversion of any of the
8 SHERLOCK PROPERTY.

9 **REQUEST FOR PRODUCTION NO. 34:**

10 Please produce all COMMUNICATIONS RELATED TO LAKE’s alleged conversion of any
11 of the SHERLOCK PROPERTY.

12 **REQUEST FOR PRODUCTION NO. 35:**

13 Please produce all DOCUMENTS RELATED TO LAKE’s alleged participation in any
14 conspiracy to convert the SHERLOCK PROPERTY.

15 **REQUEST FOR PRODUCTION NO. 36:**

16 Please produce all COMMUNICATIONS RELATED TO LAKE’s alleged participation in any
17 conspiracy to convert the SHERLOCK PROPERTY.

18


19

20 Dated: July 26, 2022

BLAKE LAW FIRM

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22

By: 

STEVEN W. BLAKE, ESQ.
ANDREW E. HALL, ESQ.
Attorneys for Defendant
STEPHEN LAKE

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EXHIBIT 2

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
 Steven W. Blake, Esq., SBN 235502 / Andrew E. Hall, Esq., SBN 257547
 BLAKE LAW FIRM
 533 2nd Street, Suite 250
 TELEPHONE NO.: (858) 232-1290
 FAX NO. (Optional): N/A
 E-MAIL ADDRESS (Optional): steve@blakelawca.com / andrew@blakelawca.com
 ATTORNEY FOR (Name): STEPHEN LAKE

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

SHORT TITLE OF CASE:
 Amy Sherlock, et al. v. Gina M. Austin, et al.

FORM INTERROGATORIES—GENERAL

CASE NUMBER:
 37-2021-0050889-CU-AT-CTL

Asking Party: Stephen Lake
Answering Party: Amy Sherlock
Set No.: ONE

Sec. 1. Instructions to All Parties

- (a) Interrogatories are written questions prepared by a party to an action that are sent to any other party in the action to be answered under oath. The interrogatories below are form interrogatories approved for use in civil cases.
- (b) For time limitations, requirements for service on other parties, and other details, see Code of Civil Procedure sections 2030.010–2030.410 and the cases construing those sections.
- (c) These form interrogatories do not change existing law relating to interrogatories nor do they affect an answering party’s right to assert any privilege or make any objection.

- (c) Each answer must be as complete and straightforward as the information reasonably available to you, including the information possessed by your attorneys or agents, permits. If an interrogatory cannot be answered completely, answer it to the extent possible.
- (d) If you do not have enough personal knowledge to fully answer an interrogatory, say so, but make a reasonable and good faith effort to get the information by asking other persons or organizations, unless the information is equally available to the asking party.
- (e) Whenever an interrogatory may be answered by referring to a document, the document may be attached as an exhibit to the response and referred to in the response. If the document has more than one page, refer to the page and section where the answer to the interrogatory can be found.
- (f) Whenever an address and telephone number for the same person are requested in more than one interrogatory, you are required to furnish them in answering only the first interrogatory asking for that information.
- (g) If you are asserting a privilege or making an objection to an interrogatory, you must specifically assert the privilege or state the objection in your written response.
- (h) Your answers to these interrogatories must be verified, dated, and signed. You may wish to use the following form at the end of your answers:

Sec. 2. Instructions to the Asking Party

- (a) These interrogatories are designed for optional use by parties in unlimited civil cases where the amount demanded exceeds \$25,000. Separate interrogatories, *Form Interrogatories—Limited Civil Cases (Economic Litigation)* (form DISC-004), which have no subparts, are designed for use in limited civil cases where the amount demanded is \$25,000 or less; however, those interrogatories may also be used in unlimited civil cases.
- (b) Check the box next to each interrogatory that you want the answering party to answer. Use care in choosing those interrogatories that are applicable to the case.
- (c) You may insert your own definition of **INCIDENT** in Section 4, but only where the action arises from a course of conduct or a series of events occurring over a period of time.
- (d) The interrogatories in section 16.0, Defendant’s Contentions—Personal Injury, should not be used until the defendant has had a reasonable opportunity to conduct an investigation or discovery of plaintiff’s injuries and damages.
- (e) Additional interrogatories may be attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing answers are true and correct.

(Date)

 (SIGNATURE)

Sec. 3. Instructions to the Answering Party

- (a) An answer or other appropriate response must be given to each interrogatory checked by the asking party.
- (b) As a general rule, within 30 days after you are served with these interrogatories, you must serve your responses on the asking party and serve copies of your responses on all other parties to the action who have appeared. See Code of Civil Procedure sections 2030.260–2030.270 for details.

Sec. 4. Definitions

Words in **BOLDFACE CAPITALS** in these interrogatories are defined as follows:

- (a) (Check one of the following):

- (1) **INCIDENT** includes the circumstances and events surrounding the alleged accident, injury, or other occurrence or breach of contract giving rise to this action or proceeding.

(2) **INCIDENT** means (insert your definition here or on a separate, attached sheet labeled "Sec. 4(a)(2)"): _____

- (b) **YOU OR ANYONE ACTING ON YOUR BEHALF** includes you, your agents, your employees, your insurance companies, their agents, their employees, your attorneys, your accountants, your investigators, and anyone else acting on your behalf.
- (c) **PERSON** includes a natural person, firm, association, organization, partnership, business, trust, limited liability company, corporation, or public entity.
- (d) **DOCUMENT** means a writing, as defined in Evidence Code section 250, and includes the original or a copy of handwriting, typewriting, printing, photostats, photographs, electronically stored information, and every other means of recording upon any tangible thing and form of communicating or representation, including letters, words, pictures, sounds, or symbols, or combinations of them.
- (e) **HEALTH CARE PROVIDER** includes any **PERSON** referred to in Code of Civil Procedure section 667.7(e)(3).
- (f) **ADDRESS** means the street address, including the city, state, and zip code.

Sec. 5. Interrogatories

The following interrogatories have been approved by the Judicial Council under Code of Civil Procedure section 2033.710:

CONTENTS

- 1.0 Identity of Persons Answering These Interrogatories
- 2.0 General Background Information—Individual
- 3.0 General Background Information—Business Entity
- 4.0 Insurance
- 5.0 [Reserved]
- 6.0 Physical, Mental, or Emotional Injuries
- 7.0 Property Damage
- 8.0 Loss of Income or Earning Capacity
- 9.0 Other Damages
- 10.0 Medical History
- 11.0 Other Claims and Previous Claims
- 12.0 Investigation—General
- 13.0 Investigation—Surveillance
- 14.0 Statutory or Regulatory Violations
- 15.0 Denials and Special or Affirmative Defenses
- 16.0 Defendant’s Contentions Personal Injury
- 17.0 Responses to Request for Admissions
- 18.0 [Reserved]
- 19.0 [Reserved]
- 20.0 How the Incident Occurred—Motor Vehicle
- 25.0 [Reserved]
- 30.0 [Reserved]
- 40.0 [Reserved]
- 50.0 Contract
- 60.0 [Reserved]
- 70.0 Unlawful Detainer [See separate form DISC-003]
- 101.0 Economic Litigation [See separate form DISC-004]
- 200.0 Employment Law [See separate form DISC-002] Family Law [See separate form FL-145]

1.0 Identity of Persons Answering These Interrogatories

1.1 State the name, **ADDRESS**, telephone number, and relationship to you of each **PERSON** who prepared or assisted in the preparation of the responses to these interrogatories. (Do not identify anyone who simply typed or reproduced the responses.)

2.0 General Background Information individual—

- 2.1 State:
 - (a) your name;
 - (b) every name you have used in the past; and
 - (c) the dates you used each name.
- 2.2 State the date and place of your birth.
- 2.3 At the time of the **INCIDENT**, did you have a driver’s license? If so state:
 - (a) the state or other issuing entity;
 - (b) the license number and type;
 - (c) the date of issuance; and
 - (d) all restrictions.
- 2.4 At the time of the **INCIDENT**, did you have any other permit or license for the operation of a motor vehicle? If so, state:
 - (a) the state or other issuing entity;
 - (b) the license number and type;
 - (c) the date of issuance; and
 - (d) all restrictions.
- 2.5 State:
 - (a) your present residence **ADDRESS**;
 - (b) your residence **ADDRESSES** for the past five years; and
 - (c) the dates you lived at each **ADDRESS**.
- 2.6 State:
 - (a) the name, **ADDRESS**, and telephone number of your present employer or place of self-employment; and
 - (b) the name, **ADDRESS**, dates of employment, job title, and nature of work for each employer or self-employment you have had from five years before the **INCIDENT** until today.
- 2.7 State:
 - (a) the name and **ADDRESS** of each school or other academic or vocational institution you have attended, beginning with high school;
 - (b) the dates you attended;
 - (c) the highest grade level you have completed; and
 - (d) the degrees received.
- 2.8 Have you ever been convicted of a felony? If so, for each conviction state:
 - (a) the city and state where you were convicted;
 - (b) the date of conviction;
 - (c) the offense; and
 - (d) the court and case number.
- 2.9 Can you speak English with ease? If not, what language and dialect do you normally use?
- 2.10 Can you read and write English with ease? If not, what language and dialect do you normally use?

- 2.11 At the time of the **INCIDENT** were you acting as an agent or employee for any **PERSON**? If so, state:
- (a) the name, **ADDRESS**, and telephone number of that **PERSON**: and
- (b) a description of your duties.

- 2.12 At the time of the **INCIDENT** did you or any other person have any physical, emotional, or mental disability or condition that may have contributed to the occurrence of the **INCIDENT**? If so, for each person state:
- (a) the name, **ADDRESS**, and telephone number;
- (b) the nature of the disability or condition; and
- (c) the manner in which the disability or condition contributed to the occurrence of the **INCIDENT**.

- 2.13 Within 24 hours before the **INCIDENT** did you or any person involved in the **INCIDENT** use or take any of the following substances: alcoholic beverage, marijuana, or other drug or medication of any kind (prescription or not)? If so, for each person state:
- (a) the name, **ADDRESS**, and telephone number;
- (b) the nature or description of each substance;
- (c) the quantity of each substance used or taken;
- (d) the date and time of day when each substance was used or taken;
- (e) the **ADDRESS** where each substance was used or taken;
- (f) the name, **ADDRESS**, and telephone number of each person who was present when each substance was used or taken; and
- (g) the name, **ADDRESS**, and telephone number of any **HEALTH CARE PROVIDER** who prescribed or furnished the substance and the condition for which it was prescribed or furnished.

3.0 General Background Information—Business Entity

- 3.1 Are you a corporation? If so, state:
- (a) the name stated in the current articles of incorporation;
- (b) all other names used by the corporation during the past 10 years and the dates each was used;
- (c) the date and place of incorporation;
- (d) the **ADDRESS** of the principal place of business; and
- (e) whether you are qualified to do business in California.
- 3.2 Are you a partnership? If so, state:
- (a) the current partnership name;
- (b) all other names used by the partnership during the past 10 years and the dates each was used;
- (c) whether you are a limited partnership and, if so, under the laws of what jurisdiction;
- (d) the name and **ADDRESS** of each general partner; and
- (e) the **ADDRESS** of the principal place of business.
- 3.3 Are you a limited liability company? If so, state:
- (a) the name stated in the current articles of organization;
- (b) all other names used by the company during the past 10 years and the date each was used;
- (c) the date and place of filing of the articles of organization;
- (d) the **ADDRESS** of the principal place of business; and
- (e) whether you are qualified to do business in California.

- 3.4 Are you a joint venture? If so, state:
- (a) the current joint venture name;
- (b) all other names used by the joint venture during the past 10 years and the dates each was used;
- (c) the name and **ADDRESS** of each joint venturer; and
- (d) the **ADDRESS** of the principal place of business.

- 3.5 Are you an unincorporated association? If so, state:
- (a) the current unincorporated association name;
- (b) all other names used by the unincorporated association during the past 10 years and the dates each was used; and
- (c) the **ADDRESS** of the principal place of business.

- 3.6 Have you done business under a fictitious name during the past 10 years? If so, for each fictitious name state:
- (a) the name;
- (b) the dates each was used;
- (c) the state and county of each fictitious name filing; and
- (d) the **ADDRESS** of the principal place of business.

- 3.7 Within the past five years has any public entity registered or licensed your business? If so, for each license or registration:
- (a) identify the license or registration;
- (b) state the name of the public entity; and
- (c) state the dates of issuance and expiration.

4.0 Insurance

- 4.1 At the time of the **INCIDENT**, was there in effect any policy of insurance through which you were or might be insured in any manner (for example, primary, pro-rata, or excess liability coverage or medical expense coverage) for the damages, claims, or actions that have arisen out of the **INCIDENT**? If so, for each policy state:
- (a) the kind of coverage;
- (b) the name and **ADDRESS** of the insurance company;
- (c) the name, **ADDRESS**, and telephone number of each named insured;
- (d) the policy number;
- (e) the limits of coverage for each type of coverage contained in the policy;
- (f) whether any reservation of rights or controversy or coverage dispute exists between you and the insurance company; and
- (g) the name, **ADDRESS**, and telephone number of the custodian of the policy.

- 4.2 Are you self-insured under any statute for the damages, claims, or actions that have arisen out of the **INCIDENT**? If so, specify the statute.

5.0 [Reserved]

6.0 Physical, Mental, or Emotional Injuries

- 6.1 Do you attribute any physical, mental, or emotional injuries to the **INCIDENT**? (If your answer is "no," do not answer interrogatories 6.2 through 6.7).
- 6.2 Identify each injury you attribute to the **INCIDENT** and the area of your body affected.

6.3 Do you still have any complaints that you attribute to the **INCIDENT**? If so, for each complaint state:

- (a) a description;
- (b) whether the complaint is subsiding, remaining the same, or becoming worse; and
- (c) the frequency and duration.

6.4 Did you receive any consultation or examination (except from expert witnesses covered by Code of Civil Procedure sections 2034.210–2034.310) or treatment from a **HEALTH CARE PROVIDER** for any injury you attribute to the **INCIDENT**? If so, for each **HEALTH CARE PROVIDER** state:

- (a) the name, **ADDRESS**, and telephone number;
- (b) the type of consultation, examination, or treatment provided;
- (c) the dates you received consultation, examination, or treatment; and
- (d) the charges to date.

6.5 Have you taken any medication, prescribed or not, as a result of injuries that you attribute to the **INCIDENT**? If so, for each medication state:

- (a) the name;
- (b) the **PERSON** who prescribed or furnished it;
- (c) the date it was prescribed or furnished;
- (d) the dates you began and stopped taking it; and
- (e) the cost to date.

6.6 Are there any other medical services necessitated by the injuries that you attribute to the **INCIDENT** that were not previously listed (for example, ambulance, nursing, prosthetics)? If so, for each service state:

- (a) the nature;
- (b) the date;
- (c) the cost; and
- (d) the name, **ADDRESS**, and telephone number of each provider.

6.7 Has any **HEALTH CARE PROVIDER** advised that you may require future or additional treatment for any injuries that you attribute to the **INCIDENT**? If so, for each injury state:

- (a) the name and **ADDRESS** of each **HEALTH CARE PROVIDER**;
- (b) the complaints for which the treatment was advised; and
- (c) the nature, duration, and estimated cost of the treatment.

7.0 Property Damage

7.1 Do you attribute any loss of or damage to a vehicle or other property to the **INCIDENT**? If so, for each item of property:

- (a) describe the property;
- (b) describe the nature and location of the damage to the property;

- (c) state the amount of damage you are claiming for each item of property and how the amount was calculated; and
- (d) if the property was sold, state the name, **ADDRESS**, and telephone number of the seller, the date of sale, and the sale price.

7.2 Has a written estimate or evaluation been made for any item of property referred to in your answer to the preceding interrogatory? If so, for each estimate or evaluation state:

- (a) the name, **ADDRESS**, and telephone number of the **PERSON** who prepared it and the date prepared;
- (b) the name, **ADDRESS**, and telephone number of each **PERSON** who has a copy of it; and
- (c) the amount of damage stated.

7.3 Has any item of property referred to in your answer to interrogatory 7.1 been repaired? If so, for each item state:

- (a) the date repaired;
- (b) a description of the repair;
- (c) the repair cost;
- (d) the name, **ADDRESS**, and telephone number of the **PERSON** who repaired it;
- (e) the name, **ADDRESS**, and telephone number of the **PERSON** who paid for the repair.

8.0 Loss of Income or Earning Capacity

8.1 Do you attribute any loss of income or earning capacity to the **INCIDENT**? (If your answer is "no," do not answer interrogatories 8.2 through 8.8).

8.2 State:

- (a) the nature of your work;
- (b) your job title at the time of the **INCIDENT**; and
- (c) the date your employment began.

8.3 State the last date before the **INCIDENT** that you worked for compensation.

8.4 State your monthly income at the time of the **INCIDENT** and how the amount was calculated.

8.5 State the date you returned to work at each place of employment following the **INCIDENT**.

8.6 State the dates you did not work and for which you lost income as a result of the **INCIDENT**.

8.7 State the total income you have lost to date as a result of the **INCIDENT** and how the amount was calculated.

8.8 Will you lose income in the future as a result of the **INCIDENT**? If so, state:

- (a) the facts upon which you base this contention;
- (b) an estimate of the amount;
- (c) an estimate of how long you will be unable to work; and
- (d) how the claim for future income is calculated.

9.0 Other Damages

- 9.1 Are there any other damages that you attribute to the **INCIDENT**? If so, for each item of damage state:
- (a) the nature;
 - (b) the date it occurred;
 - (c) the amount; and
 - (d) the name, **ADDRESS**, and telephone number of each **PERSON** to whom an obligation was incurred.

- 9.2 Do any **DOCUMENTS** support the existence or amount of any item of damages claimed in interrogatory 9.1? If so, describe each document and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT**.

10.0 Medical History

- 10.1 At any time before the **INCIDENT** did you have complaints or injuries that involved the same part of your body claimed to have been injured in the **INCIDENT**? If so, for each state:

- (a) a description of the complaint or injury;
- (b) the dates it began and ended; and
- (c) the name, **ADDRESS**, and telephone number of each **HEALTH CARE PROVIDER** whom you consulted or who examined or treated you.

- 10.2 List all physical, mental, and emotional disabilities you had immediately before the **INCIDENT**. (*You may omit mental or emotional disabilities unless you attribute any mental or emotional injury to the **INCIDENT**.*)

- 10.3 At any time after the **INCIDENT**, did you sustain injuries of the kind for which you are now claiming damages? If so, for each incident giving rise to an injury state:

- (a) the date and the place it occurred;
- (b) the name, **ADDRESS**, and telephone number of any other **PERSON** involved;
- (c) the nature of any injuries you sustained;
- (d) the name, **ADDRESS**, and telephone number of each **HEALTH CARE PROVIDER** who you consulted or who examined or treated you; and
- (e) the nature of the treatment and its duration.

11.0 Other Claims and Previous Claims

- 11.1 Except for this action, in the past 10 years have you filed an action or made a written claim or demand for compensation for your personal injuries? If so, for each action, claim, or demand state:
- (a) the date, time, and place and location (closest street **ADDRESS** or intersection) of the **INCIDENT** giving rise to the action, claim, or demand;
 - (b) the name, **ADDRESS**, and telephone number of each **PERSON** against whom the claim or demand was made or the action filed;

- (c) the court, names of the parties, and case number of any action filed;
- (d) the name, **ADDRESS**, and telephone number of any attorney representing you;
- (e) whether the claim or action has been resolved or is pending; and
- (f) a description of the injury.

- 11.2 In the past 10 years have you made a written claim or demand for workers' compensation benefits? If so, for each claim or demand state:

- (a) the date, time, and place of the **INCIDENT** giving rise to the claim;
- (b) the name, **ADDRESS**, and telephone number of your employer at the time of the injury;
- (c) the name, **ADDRESS**, and telephone number of the workers' compensation insurer and the claim number;
- (d) the period of time during which you received workers' compensation benefits;
- (e) a description of the injury;
- (f) the name, **ADDRESS**, and telephone number of any **HEALTH CARE PROVIDER** who provided services; and
- (g) the case number at the Workers' Compensation Appeals Board.

12.0 Investigation—General

- 12.1 State the name, **ADDRESS**, and telephone number of each individual:

- (a) who witnessed the **INCIDENT** or the events occurring immediately before or after the **INCIDENT**;
- (b) who made any statement at the scene of the **INCIDENT**;
- (c) who heard any statements made about the **INCIDENT** by any individual at the scene; and
- (d) who **YOU OR ANYONE ACTING ON YOUR BEHALF** claim has knowledge of the **INCIDENT** (except for expert witnesses covered by Code of Civil Procedure section 2034).

- 12.2 Have **YOU OR ANYONE ACTING ON YOUR BEHALF** interviewed any individual concerning the **INCIDENT**? If so, for each individual state:

- (a) the name, **ADDRESS**, and telephone number of the individual interviewed;
- (b) the date of the interview; and
- (c) the name, **ADDRESS**, and telephone number of the **PERSON** who conducted the interview.

- 12.3 Have **YOU OR ANYONE ACTING ON YOUR BEHALF** obtained a written or recorded statement from any individual concerning the **INCIDENT**? If so, for each statement state:

- (a) the name, **ADDRESS**, and telephone number of the individual from whom the statement was obtained;
- (b) the name, **ADDRESS**, and telephone number of the individual who obtained the statement;
- (c) the date the statement was obtained; and
- (d) the name, **ADDRESS**, and telephone number of each **PERSON** who has the original statement or a copy.

12.4 Do **YOU OR ANYONE ACTING ON YOUR BEHALF** know of any photographs, films, or videotapes depicting any place, object, or individual concerning the **INCIDENT** or plaintiff's injuries? If so, state:

- (a) the number of photographs or feet of film or videotape;
- (b) the places, objects, or persons photographed, filmed, or videotaped;
- (c) the date the photographs, films, or videotapes were taken;
- (d) the name, **ADDRESS**, and telephone number of the individual taking the photographs, films, or videotapes; and
- (e) the name, **ADDRESS**, and telephone number of each **PERSON** who has the original or a copy of the photographs, films, or videotapes.

12.5 Do **YOU OR ANYONE ACTING ON YOUR BEHALF** know of any diagram, reproduction, or model of any place or thing (except for items developed by expert witnesses covered by Code of Civil Procedure sections 2034.210–2034.310) concerning the **INCIDENT**? If so, for each item state:

- (a) the type (i.e., diagram, reproduction, or model);
- (b) the subject matter; and
- (c) the name, **ADDRESS**, and telephone number of each **PERSON** who has it.

12.6 Was a report made by any **PERSON** concerning the **INCIDENT**? If so, state:

- (a) the name, title, identification number, and employer of the **PERSON** who made the report;
- (b) the date and type of report made;
- (c) the name, **ADDRESS**, and telephone number of the **PERSON** for whom the report was made; and
- (d) the name, **ADDRESS**, and telephone number of each **PERSON** who has the original or a copy of the report.

12.7 Have **YOU OR ANYONE ACTING ON YOUR BEHALF** inspected the scene of the **INCIDENT**? If so, for each inspection state:

- (a) the name, **ADDRESS**, and telephone number of the individual making the inspection (except for expert witnesses covered by Code of Civil Procedure sections 2034.210–2034.310); and
- (b) the date of the inspection.

13.0 Investigation—Surveillance

13.1 Have **YOU OR ANYONE ACTING ON YOUR BEHALF** conducted surveillance of any individual involved in the **INCIDENT** or any party to this action? If so, for each surveillance state:

- (a) the name, **ADDRESS**, and telephone number of the individual or party;
- (b) the time, date, and place of the surveillance;
- (c) the name, **ADDRESS**, and telephone number of the individual who conducted the surveillance; and
- (d) the name, **ADDRESS**, and telephone number of each **PERSON** who has the original or a copy of any surveillance photograph, film, or videotape.

13.2 Has a written report been prepared on the surveillance? If so, for each written report state:

- (a) the title;
- (b) the date;
- (c) the name, **ADDRESS**, and telephone number of the individual who prepared the report; and
- (d) the name, **ADDRESS**, and telephone number of each **PERSON** who has the original or a copy.

14.0 Statutory or Regulatory Violations

14.1 Do **YOU OR ANYONE ACTING ON YOUR BEHALF** contend that any **PERSON** involved in the **INCIDENT** violated any statute, ordinance, or regulation and that the violation was a legal (proximate) cause of the **INCIDENT**? If so, identify the name, **ADDRESS**, and telephone number of each **PERSON** and the statute, ordinance, or regulation that was violated.

14.2 Was any **PERSON** cited or charged with a violation of any statute, ordinance, or regulation as a result of this **INCIDENT**? If so, for each **PERSON** state:

- (a) the name, **ADDRESS**, and telephone number of the **PERSON**;
- (b) the statute, ordinance, or regulation allegedly violated;
- (c) whether the **PERSON** entered a plea in response to the citation or charge and, if so, the plea entered; and
- (d) the name and **ADDRESS** of the court or administrative agency, names of the parties, and case number.

15.0 Denials and Special or Affirmative Defenses

15.1 Identify each denial of a material allegation and each special or affirmative defense in your pleadings and for each:

- (a) state all facts upon which you base the denial or special or affirmative defense;
- (b) state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who have knowledge of those facts; and
- (c) identify all **DOCUMENTS** and other tangible things that support your denial or special or affirmative defense, and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT**.

16.0 Defendant's Contentions—Personal Injury

16.1 Do you contend that any **PERSON**, other than you or plaintiff, contributed to the occurrence of the **INCIDENT** or the injuries or damages claimed by plaintiff? If so, for each **PERSON**:

- (a) state the name, **ADDRESS**, and telephone number of the **PERSON**;
- (b) state all facts upon which you base your contention;
- (c) state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who have knowledge of the facts; and
- (d) identify all **DOCUMENTS** and other tangible things that support your contention and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT** or thing.

16.2 Do you contend that plaintiff was not injured in the **INCIDENT**? If so:

- (a) state all facts upon which you base your contention;
- (b) state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who have knowledge of the facts; and
- (c) identify all **DOCUMENTS** and other tangible things that support your contention and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT** or thing.

- 16.3 Do you contend that the injuries or the extent of the injuries claimed by plaintiff as disclosed in discovery proceedings thus far in this case were not caused by the **INCIDENT**? If so, for each injury:
- identify it;
 - state all facts upon which you base your contention;
 - state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who have knowledge of the facts; and
 - identify all **DOCUMENTS** and other tangible things that support your contention and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT** or thing.
- 16.4 Do you contend that any of the services furnished by any **HEALTH CARE PROVIDER** claimed by plaintiff in discovery proceedings thus far in this case were not due to the **INCIDENT**? If so:
- identify each service;
 - state all facts upon which you base your contention;
 - state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who have knowledge of the facts; and
 - identify all **DOCUMENTS** and other tangible things that support your contention and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT** or thing.
- 16.5 Do you contend that any of the costs of services furnished by any **HEALTH CARE PROVIDER** claimed as damages by plaintiff in discovery proceedings thus far in this case were not necessary or unreasonable? If so:
- identify each cost;
 - state all facts upon which you base your contention;
 - state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who have knowledge of the facts; and
 - identify all **DOCUMENTS** and other tangible things that support your contention and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT** or thing.
- 16.6 Do you contend that any part of the loss of earnings or income claimed by plaintiff in discovery proceedings thus far in this case was unreasonable or was not caused by the **INCIDENT**? If so:
- identify each part of the loss;
 - state all facts upon which you base your contention;
 - state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who have knowledge of the facts; and
 - identify all **DOCUMENTS** and other tangible things that support your contention and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT** or thing.
- 16.7 Do you contend that any of the property damage claimed by plaintiff in discovery Proceedings thus far in this case was not caused by the **INCIDENT**? If so:
- identify each item of property damage;
 - state all facts upon which you base your contention;
 - state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who have knowledge of the facts; and
 - identify all **DOCUMENTS** and other tangible things that support your contention and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT** or thing.
- 16.8 Do you contend that any of the costs of repairing the property damage claimed by plaintiff in discovery proceedings thus far in this case were unreasonable? If so:
- identify each cost item; state all facts upon which you base your contention;
 - state all facts upon which you base your contention;
 - state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who have knowledge of the facts; and
 - identify all **DOCUMENTS** and other tangible things that support your contention and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT** or thing.
- 16.9 Do **YOU OR ANYONE ACTING ON YOUR BEHALF** have any **DOCUMENT** (for example, insurance bureau index reports) concerning claims for personal injuries made before or after the **INCIDENT** by a plaintiff in this case? If so, for each plaintiff state:
- the source of each **DOCUMENT**;
 - the date each claim arose;
 - the nature of each claim; and
 - the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT**.
- 16.10 Do **YOU OR ANYONE ACTING ON YOUR BEHALF** have any **DOCUMENT** concerning the past or present physical, mental, or emotional condition of any plaintiff in this case from a **HEALTH CARE PROVIDER** not previously identified (except for expert witnesses covered by Code of Civil Procedure sections 2034.210–2034.310)? If so, for each plaintiff state:
- the name, **ADDRESS**, and telephone number of each **HEALTH CARE PROVIDER**;
 - a description of each **DOCUMENT**; and
 - the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT**.

17.0 Responses to Request for Admissions

- 17.1 Is your response to each request for admission served with these interrogatories an unqualified admission? If not, for each response that is not an unqualified admission:
- state the number of the request;
 - state all facts upon which you base your response;
 - state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who have knowledge of those facts; and
 - identify all **DOCUMENTS** and other tangible things that support your response and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT** or thing.

18.0 *[Reserved]*

19.0 *[Reserved]*

20.0 How the Incident Occurred—Motor Vehicle

- 20.1 State the date, time, and place of the **INCIDENT** (closest street **ADDRESS** or intersection).
- 20.2 For each vehicle involved in the **INCIDENT**, state:
- the year, make, model, and license number;
 - the name, **ADDRESS**, and telephone number of the driver;

- (c) the name, **ADDRESS**, and telephone number of each occupant other than the driver;
- (d) the name, **ADDRESS**, and telephone number of each registered owner;
- (e) the name, **ADDRESS**, and telephone number of each lessee;
- (f) the name, **ADDRESS**, and telephone number of each owner other than the registered owner or lien holder; and
- (g) the name of each owner who gave permission or consent to the driver to operate the vehicle.
- 20.3 State the **ADDRESS** and location where your trip began and the **ADDRESS** and location of your destination.
- 20.4 Describe the route that you followed from the beginning of your trip to the location of the **INCIDENT**, and state the location of each stop, other than routine traffic stops, during the trip leading up to the **INCIDENT**.
- 20.5 State the name of the street or roadway, the lane of travel, and the direction of travel of each vehicle involved in the **INCIDENT** for the 500 feet of travel before the **INCIDENT**.
- 20.6 Did the **INCIDENT** occur at an intersection? If so, describe all traffic control devices, signals, or signs at the intersection.
- 20.7 Was there a traffic signal facing you at the time of the **INCIDENT**? If so, state:
- (a) your location when you first saw it;
- (b) the color;
- (c) the number of seconds it had been that color; and
- (d) whether the color changed between the time you first saw it and the **INCIDENT**.
- 20.8 State how the **INCIDENT** occurred, giving the speed, direction, and location of each vehicle involved:
- (a) just before the **INCIDENT**;
- (b) at the time of the **INCIDENT**; and (c) just after the **INCIDENT**.
- 20.9 Do you have information that a malfunction or defect in a vehicle caused the **INCIDENT**? If so:
- (a) identify the vehicle;
- (b) identify each malfunction or defect;
- (c) state the name, **ADDRESS**, and telephone number of each **PERSON** who is a witness to or has information about each malfunction or defect; and
- (d) state the name, **ADDRESS**, and telephone number of each **PERSON** who has custody of each defective part.
- 20.10 Do you have information that any malfunction or defect in a vehicle contributed to the injuries sustained in the **INCIDENT**? If so:
- (a) identify the vehicle;
- (b) identify each malfunction or defect;
- (c) state the name, **ADDRESS**, and telephone number of each **PERSON** who is a witness to or has information about each malfunction or defect; and
- (d) state the name, **ADDRESS**, and telephone number of each **PERSON** who has custody of each defective part.
- 20.11 State the name, **ADDRESS**, and telephone number of each owner and each **PERSON** who has had possession since the **INCIDENT** of each vehicle involved in the **INCIDENT**.
- 25.0** *[Reserved]*
- 30.0** *[Reserved]*
- 40.0** *[Reserved]*
- 50.0 Contract**
- 50.1 For each agreement alleged in the pleadings:
- (a) identify each **DOCUMENT** that is part of the agreement and for each state the name, **ADDRESS**, and telephone number of each **PERSON** who has the **DOCUMENT**;
- (b) state each part of the agreement not in writing, the name, **ADDRESS**, and telephone number of each **PERSON** agreeing to that provision, and the date that part of the agreement was made;
- (c) identify all **DOCUMENTS** that evidence any part of the agreement not in writing and for each state the name, **ADDRESS**, and telephone number of each **PERSON** who has the **DOCUMENT**;
- (d) identify all **DOCUMENTS** that are part of any modification to the agreement, and for each state the name, **ADDRESS**, and telephone number of each **PERSON** who has the **DOCUMENT**;
- (e) state each modification not in writing, the date, and the name, **ADDRESS**, and telephone number of each **PERSON** agreeing to the modification, and the date the modification was made;
- (f) identify all **DOCUMENTS** that evidence any modification of the agreement not in writing and for each state the name, **ADDRESS**, and telephone number of each **PERSON** who has the **DOCUMENT**.
- 50.2 Was there a breach of any agreement alleged in the pleadings? If so, for each breach describe and give the date of every act or omission that you claim is the breach of the agreement.
- 50.3 Was performance of any agreement alleged in the pleadings excused? If so, identify each agreement excused and state why performance was excused.
- 50.4 Was any agreement alleged in the pleadings terminated by mutual agreement, release, accord and satisfaction, or novation? If so, identify each agreement terminated, the date of termination, and the basis of the termination.
- 50.5 Is any agreement alleged in the pleadings unenforceable? If so, identify each unenforceable agreement and state why it is unenforceable.
- 50.6 Is any agreement alleged in the pleadings ambiguous? If so, identify each ambiguous agreement and state why it is ambiguous.
- 60.0** *[Reserved]*

EXHIBIT 3

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6 Attorneys for Defendant,
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7

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF SAN DIEGO**
10

11 AMY SHERLOCK, an individual and on
12 behalf of her minor children, T.S. and S.S.,
CHRISTOPHER WILLIAMS, an individual,
13 ANDREW FLORES, an individual

14 Plaintiffs,

15 vs.

16 GINA M. AUSTIN, an individual; AUSTIN
LEGAL GROUP, a professional corporation;
17 LARRY GERACI, an individual; REBECCA
BERRY, an individual; JESSICA
18 MCELFFRESH, an individual; SALAM
RAZUKI, an individual; NINUS MALAN, an
19 individual; FINCH, THORTON, AND BAIRD,
a limited liability partnership; ABHAY
20 SCHWEITZER, an individual and dba
TECHNE; JAMES (AKA JIM) BARTELL, an
21 individual; NATALIE TRANG-MY
NGUYEN, an individual; AARON
22 MAGAGNA, an individual; BRADFORD
HARCOURT, an individual; SHAWN
23 MILLER, an individual; LOGAN
STELLMACHER, an individual;
24 EULENTHIAS DUANE ALEXANDER, an
individual; STEPHEN LAKE, an individual;
25 ALLIED SPECTRUM, INC., a California
corporation; PRODIGIOUS COLLECTIVES,
26 LLC, a limited liability company; and DOES 1
through 50, inclusive,
27

28 Defendants.

Case No. **37-2021-00050889-CU-AT-CTL**

PROOF OF SERVICE

Case Filed: December 3, 2021
Department: C-75
Judge: Hon. James A Mangione
Trial Date: Not Set

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I, Alyssa Graff, declare that:

I am employed in the County of San Diego, State of California. I am over eighteen (18) years of age and not a party to the above-entitled action. My business address is 533 2nd Street, Suite 250, Encinitas, CA 92024.

On July 26, 2022, I served the following document(s) on the following person(s):

- 1. DISC-001 FORM INTERROGATORIES—GENERAL;**
- 2. REQUEST FOR PRODUCTION OF DOCUMENTS TO AMY SHERLOCK [SET ONE];**

Andrew Flores, Esq.
 Law Office of Andrew Flores
 945 4th Avenue, Suite 412
 San Diego, CA 92101
Andrew@FloresLegal.Pro

Plaintiff *in Propria Persona*
 and Attorney for Plaintiffs
 AMY SHERLOCK, Minors T.S. and S.S

Douglas A. Pettit; Kayla R. Sealey
 PETTIT KOHN INGRASSIA
 LUTZ & DOLIN PC
 11622 El Camino Real, Suite 300
 San Diego, CA 92130
dpettitkohn@pettitkohn.com;
ksealey@pettitkohn.com

Attorneys for Defendants GINA M.
 AUSTIN & AUSTIN LEGAL GROUP

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Attorneys for Defendants LARRY
 GERACI and REBECCA BERRY

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 San Diego, California 92101
stoothacre@ferrisbritton.com
mweinstein@ferrisbritton.com

Attorneys for Defendants LARRY GERACI
 and REBECCA BERRY

XX [VIA ELECTRONIC EMAIL SERVICE] Complying with Code of Civil Procedure section 1010.6 and Appendix I of the California Rules of Court, Emergency Rule 12(b)(1)&(2), my electronic business address is *alyssa@blakelawca.com* and I caused such document(s) to be electronically served through email communication to the above recipients. A copy of the email transmission will be maintained with the original document(s) in our office.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on July 26, 2022 at Oceanside, California.



ALYSSA GRAFF

EXHIBIT 4



Andrew Hall <andrew@blakelawca.com>

Sherlock, et al. v. Austin, et al.

Andrew flores <andrew@floreslegal.pro>

Tue, Aug 2, 2022 at 3:50 PM

To: Karianne Nuthals <knuthals@pettitkohn.com>, "steve@blakelawca.com" <steve@blakelawca.com>, "andrew@blakelawca.com" <andrew@blakelawca.com>, "alyssa@blakelawca.com" <alyssa@blakelawca.com>, "eservice@blakelawca.com" <eservice@blakelawca.com>, "crosby@crosbyattorney.com" <crosby@crosbyattorney.com>, "stoothacre@ferrisbritton.com" <stoothacre@ferrisbritton.com>, "mweirstein@ferrisbritton.com" <mweirstein@ferrisbritton.com>, "natalie@nguyenlawcorp.com" <natalie@nguyenlawcorp.com>
Cc: Doug Pettit <dpettit@pettitkohn.com>, Kayla Sealey <ksealey@pettitkohn.com>, Luis Zamora <lzamora@pettitkohn.com>

Hello,

Yes I agree to accept service by e-mail.

Sincerely,

Andrew Flores

Attorney at Law

427 C Street, Suite 220

San Diego, CA 92101

P. (619) 356-1556

F. (619) 274-8053

andrew@floreslegal.pro

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From: Karianne Nuthals <knuthals@PettitKohn.com>**Sent:** Tuesday, August 2, 2022 11:06 AM**To:** steve@blakelawca.com; andrew@blakelawca.com; alyssa@blakelawca.com; eservice@blakelawca.com; Andrew flores <andrew@floreslegal.pro>; crosby@crosbyattorney.com; stoothacre@ferrisbritton.com; mweirstein@ferrisbritton.com; natalie@nguyenlawcorp.com**Cc:** Doug Pettit <dpettit@PettitKohn.com>; Kayla Sealey <ksealey@PettitKohn.com>; Luis Zamora <lzamora@PettitKohn.com>**Subject:** Sherlock, et al. v. Austin, et al.

Dear Counsel,

[Quoted text hidden]

EXHIBIT 5



July 26 Discovery Requests

Andrew flores <andrew@floreslegal.pro>

To: Andrew Hall <andrew@blakelawca.com>

Cc: Steve Blake <steve@blakelawca.com>, Alyssa Graff <alyssa@blakelawca.com>, Melody Mak <melody@blakelawca.com>

Mon, Aug 15, 2022 at 11:45 AM

Hello Andrew,

Yes, I think that will be fine, barring no unforeseen circumstances, responses will be due November 21, 2022. As for the opposition I filed it using One|Legal and electronically served Steve Blake from your office who was registered, please see attached conformation of efilng and eservice. I have also attached a copy of the motion for your review. Please let me know if you have any questions.

Andrew Flores

Attorney at Law

427 C. Street, Suite 220

San Diego, CA 92101

P. (619) 356-1556

F. (619) 274-8053

andrew@floreslegal.com

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From: Andrew Hall <andrew@blakelawca.com>**Sent:** Monday, August 15, 2022 11:18 AM**To:** Andrew flores <andrew@floreslegal.pro>**Cc:** Steve Blake <steve@blakelawca.com>; Alyssa Graff <alyssa@blakelawca.com>; Melody Mak <melody@blakelawca.com>**Subject:** Re: July 26 Discovery Requests

Andrew,

I agree that discovery is stayed until the October anti-SLAPP has been resolved. I would propose that service be deemed effectuated and responses due 30 days from October 21, 2022 (new deadline November 21, 2022).

Also, in reviewing the docket today I note that an opposition to our demurrer was apparently filed on August 8. However, we were never served with a copy. Please serve the opposition and any related documents ASAP.

Andrew

Andrew E. Hall, Esq.**Senior Counsel**

Blake Law Firm

533 2nd Street, Suite 250

11/23/22, 12:26 PM

Blake Law Mail - July 26 Discovery Requests

Encinitas, CA 92024

Direct: (619) 675-9599

Office: (858) 232-1290

REAL ESTATE - BUSINESS - LITIGATION

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2 attachments

 **OrderStatus Details _ One Legal.pdf**
115K

 **OneLegalOrder_18695579.zip**
9681K

EXHIBIT 6



Andrew Hall <andrew@blakelawca.com>

July 26 Discovery Requests

Andrew Hall <andrew@blakelawca.com>

Thu, Oct 27, 2022 at 8:40 AM

To: Andrew flores <andrew@floreslegal.pro>

Cc: Steve Blake <steve@blakelawca.com>, Alyssa Graff <alyssa@blakelawca.com>, Melody Mak <melody@blakelawca.com>

Mr. Flores,

Circling back on this, per the court's order and comments at the *ex parte*, it is our understanding that there is no stay in place and that discovery is permitted, with the November 21 deadline discussed below remaining effective. As such, we anticipate receiving full and complete responses on November 21 as discussed below. Please feel free to contact me should you wish to discuss.

Andrew

Andrew E. Hall, Esq.**Senior Counsel**

Blake Law Firm

533 2nd Street, Suite 250

Encinitas, CA 92024

Direct: (619) 675-9599

Office: (858) 232-1290

REAL ESTATE - BUSINESS - LITIGATION**BLAKE**
LAW FIRM

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On Mon, Aug 15, 2022 at 11:45 AM Andrew flores <andrew@floreslegal.pro> wrote:

[Quoted text hidden]