

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO
CENTRAL**

MINUTE ORDER

DATE: 05/18/2018

TIME: 09:00:00 AM

DEPT: C-73

JUDICIAL OFFICER PRESIDING: Joel R. Wohlfeil

CLERK: Andrea Taylor

REPORTER/ERM: Not Reported

BAILIFF/COURT ATTENDANT: R. Camberos

CASE NO: **37-2017-00037524-CU-BT-CTL** CASE INIT.DATE: 10/06/2017

CASE TITLE: **Beck vs Point Loma Patients Consumer Cooperative Corporation [E-File]**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Business Tort

EVENT TYPE: Discovery Hearing

MOVING PARTY: Karl Beck

CAUSAL DOCUMENT/DATE FILED: Motion to Compel Discovery Notice of Motion to Compel Plaintiff's Special Interrogatories (Set One), 04/18/2018

APPEARANCES

William R Restis, counsel, present for Plaintiff(s).

MATTHEW B DART, counsel, present for Defendant(s).

Attorney Tamara Leetham appears on behalf of the Defendants.

The Court confirms the tentative ruling as follows:The Motion (ROA # 111) of Plaintiff Karl Beck ("Plaintiff") for an Order compelling Defendants Point Loma Patients Consumer Cooperative Corporation, Adam Knopf and Justus H. Henkes IV, 419 Consulting, Inc., Golden State Greens LLC, Far West Management, LLC, Far West Operating, LLC, and Far West Staffing, LLC ("Defendants") to provide full and complete verified responses to Plaintiff's Special Interrogatories numbers one (1), four (4) and six (6) from Plaintiff's Special Interrogatories (Set One), is GRANTED.

Defendant's objections are OVERRULED. Defendant is directed to serve verified further responses, without objections, within twenty (20) days of the hearing of this Motion.

Clerk's note: After hearing oral argument, the Court confirms the tentative ruling.

Plaintiff's Motion (ROA # 117), pursuant to California Code of Civil Procedure 2031.310, for an Order: (1) Compelling Defendant Point Loma Patients Consumer Cooperative Corporation to respond to Requests two (2) through seven (7) from Plaintiff's Requests for Production (Set One); (2) Compelling Defendants Adam Knopf and Justus H. Henkes IV to respond to Requests one (1) through seven (7), and nine (9) through ten (10) from Plaintiff's Requests for Production (Set One); (3) Compelling Defendants 419 Consulting, Inc., Golden State Greens LLC, Far West Management, LLC, Far West Operating, LLC, and Far West Staffing, LLC to respond to Requests one (1) through seven (7), and nine (9) through eleven (11) from Plaintiff's Requests for Production (Set One); and (4) Compelling Defendants to produce all

documents and electronic data responsive to the above Requests, is GRANTED IN PART AND DENIED IN PART.

Defendant's assertion of the tax return privilege is SUSTAINED.

Defendant's assertion of the attorney client privilege and attorney work product doctrine is SUSTAINED subject to the provision of a privilege log as described below.

Defendant's objections to requests that seek "ALL ... DOCUMENTS and DATA ... (or) COMMUNICATIONS ..." as overbroad are SUSTAINED.

The balance of Defendant's objections are OVERRULED.

To the extent not SUSTAINED, Defendant is directed to serve verified further responses within twenty (20) days of the hearing of this Motion; and provide a privilege which specifies the withheld materials with sufficient particularity to enable Plaintiff to evaluate the propriety of the assertion of the attorney client privilege and the attorney work product doctrine, and produce the requested documents within twenty five (25) days of the hearing of this Motion.

Defendant's request for sanctions is DENIED. Plaintiff has not acted without substantial justification; however, the Court notes that Plaintiff appears to have chosen to take a shotgun approach to discovery which, as the litigation ensues, is less likely to be persuasive to the Court.

Clerk's Note: The Court takes this matter under submission.