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7 Golden State Greens, LLC, Far West Management, LLC  
Far West Operating, LLC, and Far West Staffing, LLC

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Adam Knopf, and Justus Henkes IV

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
14 **COUNTY OF SAN DIEGO**

15  
16 KARL BECK, individually and on behalf  
17 of all other similarly situated California  
residents,

18 Plaintiff,

19 vs.

20 POINT LOMA PATIENTS CONSUMER  
21 COOPERATIVE CORPORATION, a  
California corporation, ADAM KNOPF, an  
22 individual, JUSTUS H. HENKES IV, an  
individual, 419 CONSULTING INC, a  
23 California corporation, GOLDEN STATE  
GREENS LLC, a California LLC, FAR  
24 WEST MANAGEMENT LLC, a  
California LLC, FAR WEST  
25 OPERATING, LLC, a California LLC,  
FAR WEST STAFFING LLC, a California  
26 LLC, and DOES 1-50;

27 Defendants.  
28

**ELECTRONICALLY FILED**  
Superior Court of California,  
County of San Diego  
**04/04/2018** at 05:08:00 PM  
Clerk of the Superior Court  
By Katelin O'Keefe, Deputy Clerk

**CASE NO. 37-2017-00037524-CU-BT-CTL**

**DECLARATION OF TAMARA LEETHAM  
IN SUPPORT OF DEFENDANTS' JOINT  
MOTION FOR PROTECTIVE ORDER**

Judge: Hon. Joel Wohlfeil  
Dept.: 73  
Date: May 24, 2018  
Time: 9:00 a.m.

Complaint Filed: October 6, 2017  
Trial Date: March 1, 2019

1 I, Tamara Leetham, declare as follows:

2 1. I am a member in good standing of the California state bar and, along with Gina  
3 M. Austin, am the attorney for defendants Point Loma Patients Consumer Cooperative  
4 (“PLPCC”), Golden State Greens, Far West Management, Far West Operating, and Far West  
5 Staffing. I also work with co-counsel Matthew Dart, who represents Adam Knopf, Justus Henkes,  
6 and 419 Consulting, Inc. I have personal knowledge of the facts stated in this declaration, except  
7 as to those facts stated upon information and belief, which facts I believe to be true. If called as a  
8 witness, I would testify competently thereto. I make this declaration in support of Defendants'  
9 Motion for Protective Order.

10 2. In or around August 2017, Plaintiff began demanding money from PLPCC in  
11 exchange for making threats and extortive demands on defendant Point Loma Patients Consumer  
12 Cooperative, and the other defendants, if it did pay. Plaintiff’s demands accuse Defendants of  
13 committing crimes and engaging in money laundering.

14 3. Defendants refused to be extorted and this lawsuit ensued.

15 4. Plaintiff has propounded discovery that is so intrusive it demands access to every  
16 detail about the entity and individual defendants lives and businesses.

17 5. Below is a detailed explanation of the dates the discovery was propounded and  
18 meet and confer efforts with Plaintiff’s counsel.

19 6. On November 29, 2017, Plaintiff propounded Special Interrogatories, Set One on  
20 all Defendants. The scope was overbroad and intrusive. Defendants objected. Plaintiff and  
21 Defendants are in the meet and confer process. For example:

- 22 a. Special Interrogatory No. 1: Identify the brand, model and serial number of  
23 every computer you have ever used.
- 24 b. Special Interrogatory No. 2: Identify every person who has ever accessed or  
25 used any of the computers identified in 1.
- 26 c. Special Interrogatories Nos. 4-7: Identify by brand, name and serial number all  
27 software, database and cloud software ever used on all computers identified in  
28 No. 1.

1           7.       On December 1, 2017, Plaintiff propounded Request for Production of Documents,  
2 Set One on all Defendants. The scope was overbroad and intrusive. Defendants objected.

3 Plaintiff and Defendants are in the meet and confer process. For example:

- 4           a. Request No. 2: Tax returns and all documents related thereto
- 5           b. Request No. 3: All of your bank statements
- 6           c. Request No. 4: All documents related to any expense
- 7           d. Request Nos. 5-6 to Non-PLPCC entity Defendants: All documents related to  
8 salary, wages or compensation of any kind.
- 9           e. Request No. 5 to PLPCC/No. 9 to other Defendants: All communications,  
10 without limitation, between any of the Defendants including their hundreds of  
11 employees and personnel, since 2014 (which is well before they opened).
- 12           f. Request No. 6 to PLPCC/No. 10 to other Defendants: All communications  
13 with anyone related to cannabis since 2014 (again well before they opened).
- 14           g. Request No. 8 to Entity and Individual Defendants: All documents related to  
15 the business of Medical Marijuana.

16           8.       On January 19, 2018, Plaintiff propounded Special Interrogatories, Set Two on the  
17 entity defendants (PLPCC, Far West Operating, Far West Management, Far West Staffing,  
18 Golden State Greens, and 419 Consulting). (True and correct copies of Special Interrogatories,  
19 Set Two propounded on the entity Defendants are attached to Defendants' Notice of Lodgment as  
20 Exhibits A-F and incorporated by reference.) The scope is overbroad and intrusive. For example:

- 21           a. Special Interrogatory No. 8: Identify all of your past and current employees;
- 22           b. Special Interrogatory No. 9: Identify all of your past and current independent  
23 contractors.
- 24           c. Special Interrogatories Nos. 12-13: Identify the brand, model, box number and  
25 location of all safe deposit boxes.

26           9.       On January 22, 2018, Plaintiff propounded Request for Production of Documents,  
27 Set Two on the entity defendants (PLPCC, Far West Operating, Far West Management, Far West  
28 Staffing, Golden State Greens, and 419 Consulting). (True and correct copies of Request for

1 Production of Documents, Set Two propounded on the entity Defendants are attached to  
2 Defendants' Notice of Lodgment as Exhibits G-L and incorporated by reference.) The scope is  
3 overbroad and intrusive. For example:

- 4 a. Request for Production No. 8: All documents and data that refer or relate to  
5 your federal, state, and local tax returns and amended returns, including all  
6 supporting schedules, attachments, notes, work sheets and work papers;
- 7 b. Request for Production No. 9: All communications with the Internal Revenue  
8 Service and state or local taxation agencies made by you or on your behalf (by  
9 for example, a certified public accountant);
- 10 c. Request for Production No. 10: All K-1s, 1099s, and W-2s issues to any of  
11 your owners and related parties;
- 12 d. Request for Production No. 12: All documents and data that comprise your  
13 general ledger;
- 14 e. Request for Production No. 13: All documents and that that refer or relate to  
15 your financial statements...
- 16 f. Request for Production No. 15: All statements, cancelled checks, and deposit  
17 receipts for any of your accounts at any financial institution;
- 18 g. Request for Production Nos. 16-17: Your employment manual, benefits  
19 summaries and retirement-related documents;
- 20 h. Request for Production No. 20: All documents that refer or relate to billing  
21 from your certified public accountant, and/or business attorney;
- 22 i. Request for Production No. 25: All documents relating to any business or  
23 personal transactions between you and any certified public accountant,  
24 including, but not limited to leases, contracts, promissory notes, mortgages,  
25 loans, gifts, and financial transfers, whether or not for consideration.

26 10. On January 31, 2018, Mr. Restis e-mailed and mailed me a meet and confer letter  
27 regarding "Document Production Protocols" whereby he requested Defendants refrain from  
28 producing any documents or ESI until the parties agreed on production protocols and formats. (A

1 true and correct copy of Mr. Rests' January 31, 2018 letter is attached as Exhibit M and  
2 incorporated by reference.)

3 11. On January 31, 2018, Plaintiff propounded Request for Production of Documents,  
4 Set Two on Adam Knopf and Justus Henkes and Request for Production of Documents, Set Three  
5 on PLPCC. (True and correct copies of Request for Production of Documents, Set Two  
6 propounded on Knopf and Henkes and Request for Production of Documents, Set Three  
7 propounded on PLPCC are attached to Defendants' Notice of Lodgment as Exhibits N-P and  
8 incorporated by reference.) The scope was overbroad and intrusive. For example:

- 9 a. Request for Production No. 11: To the extent not covered by a previous request  
10 to you in this action, all documents and data (including communications) that  
11 refer or relate to your federal, state and local tax returns and amended returns,  
12 including all supporting schedules, attachments, notes, work sheets, and work  
13 papers;
- 14 b. Request for Production No. 12: To the extent not covered by a previous request  
15 to you in this action, all communications with the internal revenue service and  
16 state or local taxation agencies made by you or on your behalf (by for example,  
17 a certified public accountant).
- 18 c. Request for Production No. 13: To the extent not covered by a previous request  
19 to you in this action, All K-1s, 1099s, and W-2s issued to you.
- 20 d. Request for Production No. 14: A mirror image copy of your personal  
21 bookkeeping software, such as Quicken or QuickBooks, and all reports  
22 generated therefrom.
- 23 e. Request for Production No. 18: To the extent not covered by a previous request  
24 to you in tis action, all documents and data that refer or relate to your accounts  
25 at any financial institution, including but not limited to statements, cancelled  
26 checks, and deposit receipts.
- 27 f. Request for Production No. 19: To the extent not covered by a previous request  
28 in this action, all documents and data that refer or relate to any of your

1 retirement account(s) such as IRA, 401(k), pension, and profit-sharing,  
2 including but not limited to benefits summaries and statements.

3 g. Request for Production No. 22: To the extent not covered by a previous request  
4 to you in this action, all of your credit card statements (business and personal).

5 12. On February 1, 2018, I e-mailed a meet and confer letter to Mr. Restis regarding  
6 PLPCC's response to Request for Production Number 1. (A true and correct copy of my  
7 February 1, 2018 letter is attached as Exhibit Q and incorporated by reference.) My letter  
8 discusses PLPCC's objection to production of its "member" list as the production requires  
9 disclosure of protected medical information.

10 13. That same day, Mr. Restis e-mailed me a response to my meet and confer letter  
11 indicating his proposed noticing procedures would resolve PLPCC's objections. (A true and  
12 correct copy of Mr. Restis' February 1, 2018 meet and confer letter is attached as Exhibit R and  
13 incorporated by reference.)

14 14. On February 8, 2018, I responded to Mr. Restis' February 1, 2018 letter. (A true  
15 and correct copy of my February 8, 2018 letter is attached as Exhibit S and incorporated by  
16 reference.) In my letter, I reiterated PLPCC's position that disclosing "member" information  
17 violates the California Constitution's express right to privacy. I also addressed his *Cash Call*  
18 request for pre-certification discovery and indicated Defendants' to oppose any such request.

19 15. On February 21, 2018, I e-mailed Mr. Restis a meet and confer letter on behalf of  
20 all Defendants with respect to Special Interrogatories, Set Two. (A true and correct copy of my  
21 February 21, 2018 meet and confer letter is attached as Exhibit T and incorporated by reference.)

22 16. On February 22, 2018, I participated in the case management conference meet and  
23 confer phone call with Mr. Restis and co-defense counsel, Matthew Dart, and an associate at my  
24 office, Richard Andrews. The parties discussed multiple case related issues primarily focused on  
25 discovery including disagreement over what Defendants would respond to and what documents  
26 they would produce, Plaintiff's access to the patient list, and the scope of ESI. I voiced my  
27 continued concern that Plaintiff has repeatedly accused Defendants of committing crimes, has  
28 referred to them as criminals, has accused them of engaging in a criminal enterprise (RICO)

1 including money laundering and tax fraud. At the end of the phone call, Plaintiff continued to  
2 assert his entitlement to every document requested and a response to every special interrogatory  
3 and stated that we would litigate the issues.

4 17. On February 22, 2018, Mr. Restis e-mailed me a meet and confer letter prior to  
5 filing a motion to compel on Request for Production of Documents, Set One, Number 1, to  
6 PLPCC. (A true and correct copy of Mr. Restis' February 22, 2018 letter is attached as Exhibit U  
7 and incorporated by reference.)

8 18. On February 27, 2018, Plaintiff propounded Form Interrogatories, Set One on all  
9 Defendants.

10 19. On February 28, 2018, Plaintiff propounded Special Interrogatories, Set Three on  
11 PLPCC. (A true and correct copy of Special Interrogatory, Set Three propounded on PLPCC is  
12 attached as Exhibit V to Defendants' Notice of Lodgment and incorporated by reference. This set  
13 contains a single request, requesting PLPCC to identify the total number of unique patrons who  
14 purchased any product since 2014. The scope is overbroad and unduly burdensome.

15 20. On March 6, 2018, Plaintiff agreed to extend Defendants time to respond to all  
16 discovery to March 30, 2018.

17 21. On March 9, 2018, Mr. Restis e-mailed me a meet and confer letter regarding  
18 Defendants objections to Request for Production, Set One.

19 22. On March 12, 2018, Mr. Restis e-mailed me a meet and confer letter regarding  
20 Defendants objections to Special Interrogatories, Set One.

21 23. On March 13, 2018, in response to his March 9 and March 12 letters, I e-mailed  
22 Mr. Restis that Defendants would be sending him a comprehensive meet and confer letter related  
23 to discovery propounded to date along with a request that we arrange a mutually agreeable date  
24 and time to meet and confer.

25 24. On March 14, 2018, I e-mailed Mr. Restis a meet and confer letter that identified  
26 general categories of objectionable information with specific examples. (A true and correct copy  
27 of my March 14, 2018 letter to Mr. Restis is attached as Exhibit W and incorporated by  
28 reference.)

1           25.     On March 23, 2018, Mr. Dart and I met in person with Mr. Restis to discuss  
2 outstanding discovery. In part, we used my March 14, 2018 letter as an agenda to guide the  
3 discussion. Through the discussion, we touched upon the following topics, without agreement:

- 4           a.     The scope of financial records for entity defendants
- 5           b.     The scope of financial records for individual defendants
- 6           c.     Employee records
- 7           d.     Tax return privilege
- 8           e.     Attorney-client privilege

9           26.     The parties were unable to come to an agreement limiting the scope of discovery,  
10 necessitating this motion and Plaintiff and Defendants agreed to an April 4, 2018 for responding  
11 to outstanding discovery requests. Accordingly, Defendants seek a protective order as follows:

- 12          a.     PLPCC:
  - 13           i.     Special Interrogatories, Set Two
  - 14           ii.    Request for Production of Documents, Set Two
  - 15           iii.   Request for Production of Documents, Set Three
  - 16           iv.    Special Interrogatories, Set Three
- 17          b.     Far West Operating/Management/Staffing, Golden State Greens, and 419  
18           Consulting:
  - 19           i.     Special Interrogatories, Set Two
  - 20           ii.    Request for Production of Documents, Set Two
- 21          c.     Adam Knopf and Justus Henkes
  - 22           i.     Request for Production of Documents, Set Two
  - 23           ii.    Request for Production of Documents, Set Two

24           27.     Through the date of this declaration, Plaintiff has propounded 37 sets of discovery  
25 requests on the entity defendants and 10 sets of discovery requests on the individual defendants  
26 totaling 47 sets of discovery requests. In total, Plaintiff has propounded more than 400 separate  
27 discovery requests on Defendants. The totality of Plaintiff's discovery requests demands access  
28 to every documents and information related to all aspects of entity defendants' businesses and the



1 individual defendants' personal lives.

2 I declare under penalty of perjury under California state law that the foregoing is true and  
3 correct. Executed April 4, 2018 in San Diego, California.

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By: Jamaral H. Seadam