

1 Michael C. Lubin (SBN 293487)
2 Namson Pham (SBN 295710)
3 JC Chimoures (SBN 318976)
4 LUBIN PHAM + CAPLIN LLP
5 19200 Von Karman Suite #400
6 Irvine, CA 92612
7 (949) 979-7010
8 *service@lubinphamcaplin.com*

9 Attorneys for Plaintiff,
10 Vickie Lynn Brown-Driver

11 **THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **COUNTY OF SAN DIEGO — NORTH COUNTY REGIONAL CENTER**

13 VICKIE LYNN BROWN-DRIVER, an individual,
14 Plaintiff,

15 vs.

16 OCEANSIDE COMMUNITY ASSOCIATION, a
17 California nonprofit mutual benefit corporation,
18 and
19 DOES 1-10, inclusive,
20 Defendants.

Case No.: 37-2022-00045945-CU-BC-NC

**PLAINTIFF’S OBJECTION TO OCEANSIDE
COMMUNITY ASSOCIATION NOTICE OF
REMOTE DEPOSITION AND REQUESTS FOR
PRODUCTION OF DOCUMENTS**

Earl H. Maas, III
Dept. N-28

Date: 7/29/2024
Time: 10:00 AM
Location:

Complaint Filed: November 10, 2022
Trial Date: October 18, 2024

21 **DEPOSING PARTY:** OCEANSIDE COMMUNITY ASSOCIATION

22 **DEPONENT:** VICKIE LYNN BROWN-DRIVER

23 **DATE & TIME OF DEPOSITION:** 7/29/2024 AT 10:00 AM

24 **LOCATION OF DEPOSITION:** REMOTE

25 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

26 Plaintiff objects to Vickie Lynn Brown-Driver’s Notice of Remote Deposition and Requests for

1 Production of Documents as follows:

2 **RESPONSES REQUESTS FOR PRODUCTION AND INSPECTION**

3 **REQUEST FOR PRODUCTION AND INSPECTION NO. TRUE:**

4 As to propounding party, all WRITINGS that support any fact upon which it is contended that
5 the propounding parties are liable.

6
7 **RESPONSE TO REQUEST FOR PRODUCTION AND INSPECTION NO. TRUE:**

8 Objection. This discovery request seeks attorney work product in violation of Code of Civil
9 Procedure sections 2018.020 and 2018.030. (*Mack v. Superior Court of Sacramento County* (1968) 259
10 Cal.App.2d 7, 10; *Williamson v. Superior Court of Los Angeles County* (1978) 21 Cal.3d 829; *Brown v.*
11 *Superior Court of Butte County*, (1963) 218 Cal.App.2d 430; and *Nacht & Lewis Architects v. Superior*
12 *Court* (1996) 47 Cal.App.4th 214.) Code of Civil Procedure section 2018.030 subdivision (a) states, “[a]
13 writing that reflects an attorney’s impressions, conclusions, opinion, or legal research or theories is not
14 discoverable under any circumstances.” Subdivision (b) expands the protection to include any other
15 attorney work-product, “unless the court determines that denial of discovery will unfairly prejudice the
16 party seeking discovery in preparing that party’s claim or defense or will result in injustice.” The
17 purpose of this protection is to “[p]reserve the rights of attorneys to prepare cases for trial with that
18 degree of privacy necessary to encourage them to prepare their cases thoroughly and to investigate not
19 only the favorable but the unfavorable aspects of those cases,” and to “[p]revent attorneys from taking
20 undue advantage of their adversary’s industry and efforts.” (Code of Civ. Proc., § 2018.020.)
21 Information created by or resulting from an attorney’s work on behalf of a client that reflects the
22 attorney’s evaluation or interpretation of the law or the facts involved is therefore not discoverable.
23 (*Mack v. Superior Court* (1968) 259 Cal.App.2d 7, 10.)

24 Objection. The information sought by this interrogatory is equally available to the propounding
25 party. (*See* Code Civ. Proc., § 2030.220, subd. (c); and *Alpine Mutual Water Co. v. Superior Court* (1968)
26 259 Cal.App.2d 45.) A party has an obligation to make a reasonable and good faith effort to obtain
27 requested information, “except where the information is equally available to the propounding party.”
28 (Code of Civ. Proc., § 2030.220, subd. (c).)

1 Objection. This interrogatory seeks the legal reasoning and theories of plaintiff's contentions.
2 Plaintiff is not required to prepare the defendant's case. (*Sav-On Drugs, Inc. v. Superior Court* (1975) 15
3 Cal.3d 1, 5; *Ryan v. Superior Court of Los Angeles County* (1960) 186 Cal.App.2d 813, 819.) While it is
4 proper to discover a plaintiff's legal contentions, the legal reasoning or theories behind the contentions
5 are not discoverable. (*Sav-On Drugs, Inc. v. Superior Court*, 15 Cal.3d at 5.)

6 Objection. This request is so broad and unlimited as to time and scope as to be an unwarranted
7 annoyance, embarrassment, and is oppressive. Responding to this request would be an undue burden
8 and expense and the request is calculated to annoy and harass Responding Party. (*See* Code Civ. Proc.,
9 § 2031.060, subd. (b); and *Columbia Broadcasting System, Inc. v. Superior Court* (1968) 263 Cal.App.2d
10 12, 19.)

11 Objection: This request is so vague and ambiguous that responding to it would require
12 Responding Party to either speculate and/or make a legal conclusion as to the nature and scope of the
13 documents sought.

14 Objection. This request is not reasonably particularized. (Code Civ. Proc., § 2031.030, subd.
15 (c).)

16 Objection. This request has, in substance, been previously propounded. Continuous discovery
17 into the same matter constitutes oppression and Responding Party further objects on that ground.
18 (*Professional Career Colleges v. Superior Court* (1989) 207 Cal.App.3d 490, 493-494.)

19
20 **REQUEST FOR PRODUCTION AND INSPECTION No. 2:**

21 All WRITINGS that support any fact upon which it is contended that any non-propounding
22 party is liable.

23
24 **RESPONSE TO REQUEST FOR PRODUCTION AND INSPECTION No. 2:**

25 Objection. This discovery request seeks attorney work product in violation of Code of Civil
26 Procedure sections 2018.020 and 2018.030. (*Mack v. Superior Court of Sacramento County* (1968) 259
27 Cal.App.2d 7, 10; *Williamson v. Superior Court of Los Angeles County* (1978) 21 Cal.3d 829; *Brown v.*
28 *Superior Court of Butte County*, (1963) 218 Cal.App.2d 430; and *Nacht & Lewis Architects v. Superior*

1 *Court* (1996) 47 Cal.App.4th 214.) Code of Civil Procedure section 2018.030 subdivision (a) states, “[a]
2 writing that reflects an attorney’s impressions, conclusions, opinion, or legal research or theories is not
3 discoverable under any circumstances.” Subdivision (b) expands the protection to include any other
4 attorney work-product, “unless the court determines that denial of discovery will unfairly prejudice the
5 party seeking discovery in preparing that party’s claim or defense or will result in injustice.” The
6 purpose of this protection is to “[p]reserve the rights of attorneys to prepare cases for trial with that
7 degree of privacy necessary to encourage them to prepare their cases thoroughly and to investigate not
8 only the favorable but the unfavorable aspects of those cases,” and to “[p]revent attorneys from taking
9 undue advantage of their adversary’s industry and efforts.” (Code of Civ. Proc., § 2018.020.)
10 Information created by or resulting from an attorney’s work on behalf of a client that reflects the
11 attorney’s evaluation or interpretation of the law or the facts involved is therefore not discoverable.
12 (*Mack v. Superior Court* (1968) 259 Cal.App.2d 7, 10.)

13 Objection. The information sought by this interrogatory is equally available to the propounding
14 party. (*See* Code Civ. Proc., § 2030.220, subd. (c); and *Alpine Mutual Water Co. v. Superior Court* (1968)
15 259 Cal.App.2d 45.) A party has an obligation to make a reasonable and good faith effort to obtain
16 requested information, “except where the information is equally available to the propounding party.”
17 (Code of Civ. Proc., § 2030.220, subd. (c).)

18 Objection. This interrogatory seeks the legal reasoning and theories of plaintiff’s contentions.
19 Plaintiff is not required to prepare the defendant’s case. (*Sav-On Drugs, Inc. v. Superior Court* (1975) 15
20 Cal.3d 1, 5; *Ryan v. Superior Court of Los Angeles County* (1960) 186 Cal.App.2d 813, 819.) While it is
21 proper to discover a plaintiff’s legal contentions, the legal reasoning or theories behind the contentions
22 are not discoverable. (*Sav-On Drugs, Inc. v. Superior Court*, 15 Cal.3d at 5.)

23 Objection. This request is so broad and unlimited as to time and scope as to be an unwarranted
24 annoyance, embarrassment, and is oppressive. Responding to this request would be an undue burden
25 and expense and the request is calculated to annoy and harass Responding Party. (*See* Code Civ. Proc.,
26 § 2031.060, subd. (b); and *Columbia Broadcasting System, Inc. v. Superior Court* (1968) 263 Cal.App.2d
27 12, 19.)

28 Objection: This request is so vague and ambiguous that responding to it would require

1 Responding Party to either speculate and/or make a legal conclusion as to the nature and scope of the
2 documents sought.

3 Objection. This request is not reasonably particularized. (Code Civ. Proc., § 2031.030, subd.
4 (c).)

5 Objection. This request has, in substance, been previously propounded. Continuous discovery
6 into the same matter constitutes oppression and Responding Party further objects on that ground.
7 (*Professional Career Colleges v. Superior Court* (1989) 207 Cal.App.3d 490, 493-494.)

8
9
10 **REQUEST FOR PRODUCTION AND INSPECTION NO. 3:**

11 Each PERSON’S statements pertaining in any way to each allegation in this lawsuit. (For
12 purposes of these inspection demands, the term "PERSON" includes a natural person, firm,
13 association, organization, partnership, business, sole proprietorship, trust, corporation, or public
14 entity.)

15
16 **RESPONSE TO REQUEST FOR PRODUCTION AND INSPECTION NO. 3:**

17 Objection. This discovery request seeks attorney work product in violation of Code of Civil
18 Procedure sections 2018.020 and 2018.030. (*Mack v. Superior Court of Sacramento County* (1968) 259
19 Cal.App.2d 7, 10; *Williamson v. Superior Court of Los Angeles County* (1978) 21 Cal.3d 829; *Brown v.*
20 *Superior Court of Butte County*, (1963) 218 Cal.App.2d 430; and *Nacht & Lewis Architects v. Superior*
21 *Court* (1996) 47 Cal.App.4th 214.) Code of Civil Procedure section 2018.030 subdivision (a) states, “[a]
22 writing that reflects an attorney’s impressions, conclusions, opinion, or legal research or theories is not
23 discoverable under any circumstances.” Subdivision (b) expands the protection to include any other
24 attorney work-product, “unless the court determines that denial of discovery will unfairly prejudice the
25 party seeking discovery in preparing that party’s claim or defense or will result in injustice.” The
26 purpose of this protection is to “[p]reserve the rights of attorneys to prepare cases for trial with that
27 degree of privacy necessary to encourage them to prepare their cases thoroughly and to investigate not
28 only the favorable but the unfavorable aspects of those cases,” and to “[p]revent attorneys from taking

1 undue advantage of their adversary’s industry and efforts.” (Code of Civ. Proc., § 2018.020.)
2 Information created by or resulting from an attorney’s work on behalf of a client that reflects the
3 attorney’s evaluation or interpretation of the law or the facts involved is therefore not discoverable.
4 (*Mack v. Superior Court* (1968) 259 Cal.App.2d 7, 10.)

5 Objection. This discovery request seeks information subject to the attorney-client privilege. The
6 attorney-client privilege is broadly construed, and extends to both “factual information” and “legal
7 advice.” (*Mitchell v. Superior Court* (1984) 37 Cal.3d 591, 601.)

8 Objection. The information sought by this interrogatory is equally available to the propounding
9 party. (*See* Code Civ. Proc., § 2030.220, subd. (c); and *Alpine Mutual Water Co. v. Superior Court* (1968)
10 259 Cal.App.2d 45.) A party has an obligation to make a reasonable and good faith effort to obtain
11 requested information, “except where the information is equally available to the propounding party.”
12 (Code of Civ. Proc., § 2030.220, subd. (c).)

13 Objection. This interrogatory seeks the legal reasoning and theories of plaintiff’s contentions.
14 Plaintiff is not required to prepare the defendant’s case. (*Sav-On Drugs, Inc. v. Superior Court* (1975) 15
15 Cal.3d 1, 5; *Ryan v. Superior Court of Los Angeles County* (1960) 186 Cal.App.2d 813, 819.) While it is
16 proper to discover a plaintiff’s legal contentions, the legal reasoning or theories behind the contentions
17 are not discoverable. (*Sav-On Drugs, Inc. v. Superior Court*, 15 Cal.3d at 5.)

18 Objection. This request is so broad and unlimited as to time and scope as to be an unwarranted
19 annoyance, embarrassment, and is oppressive. Responding to this request would be an undue burden
20 and expense and the request is calculated to annoy and harass Responding Party. (*See* Code Civ. Proc.,
21 § 2031.060, subd. (b); and *Columbia Broadcasting System, Inc. v. Superior Court* (1968) 263 Cal.App.2d
22 12, 19.)

23 Objection: This request is so vague and ambiguous that responding to it would require
24 Responding Party to either speculate and/or make a legal conclusion as to the nature and scope of the
25 documents sought.

26 Objection. This request is not reasonably particularized. (Code Civ. Proc., § 2031.030, subd.
27 (c).)

28 Objection. This request has, in substance, been previously propounded. Continuous discovery

1 into the same matter constitutes oppression and Responding Party further objects on that ground.
2 (*Professional Career Colleges v. Superior Court* (1989) 207 Cal.App.3d 490, 493-494.)

3
4
5 **REQUEST FOR PRODUCTION AND INSPECTION No. 4:**

6 All WRITINGS that pertain to each communication with each PERSON about any fact alleged
7 in the COMPLAINT.

8
9 **RESPONSE TO REQUEST FOR PRODUCTION AND INSPECTION No. 4:**

10 Objection. This discovery request seeks attorney work product in violation of Code of Civil
11 Procedure sections 2018.020 and 2018.030. (*Mack v. Superior Court of Sacramento County* (1968) 259
12 Cal.App.2d 7, 10; *Williamson v. Superior Court of Los Angeles County* (1978) 21 Cal.3d 829; *Brown v.*
13 *Superior Court of Butte County*, (1963) 218 Cal.App.2d 430; and *Nacht & Lewis Architects v. Superior*
14 *Court* (1996) 47 Cal.App.4th 214.) Code of Civil Procedure section 2018.030 subdivision (a) states, “[a]
15 writing that reflects an attorney’s impressions, conclusions, opinion, or legal research or theories is not
16 discoverable under any circumstances.” Subdivision (b) expands the protection to include any other
17 attorney work-product, “unless the court determines that denial of discovery will unfairly prejudice the
18 party seeking discovery in preparing that party’s claim or defense or will result in injustice.” The
19 purpose of this protection is to “[p]reserve the rights of attorneys to prepare cases for trial with that
20 degree of privacy necessary to encourage them to prepare their cases thoroughly and to investigate not
21 only the favorable but the unfavorable aspects of those cases,” and to “[p]revent attorneys from taking
22 undue advantage of their adversary’s industry and efforts.” (Code of Civ. Proc., § 2018.020.)
23 Information created by or resulting from an attorney’s work on behalf of a client that reflects the
24 attorney’s evaluation or interpretation of the law or the facts involved is therefore not discoverable.
25 (*Mack v. Superior Court* (1968) 259 Cal.App.2d 7, 10.)

26 Objection. This discovery request seeks information subject to the attorney-client privilege. The
27 attorney-client privilege is broadly construed, and extends to both “factual information” and “legal
28 advice.” (*Mitchell v. Superior Court* (1984) 37 Cal.3d 591, 601.)

1 Objection. The information sought by this interrogatory is equally available to the propounding
2 party. (*See* Code Civ. Proc., § 2030.220, subd. (c); and *Alpine Mutual Water Co. v. Superior Court* (1968)
3 259 Cal.App.2d 45.) A party has an obligation to make a reasonable and good faith effort to obtain
4 requested information, “except where the information is equally available to the propounding party.”
5 (Code of Civ. Proc., § 2030.220, subd. (c).)

6 Objection. This interrogatory seeks the legal reasoning and theories of plaintiff’s contentions.
7 Plaintiff is not required to prepare the defendant’s case. (*Sav-On Drugs, Inc. v. Superior Court* (1975) 15
8 Cal.3d 1, 5; *Ryan v. Superior Court of Los Angeles County* (1960) 186 Cal.App.2d 813, 819.) While it is
9 proper to discover a plaintiff’s legal contentions, the legal reasoning or theories behind the contentions
10 are not discoverable. (*Sav-On Drugs, Inc. v. Superior Court*, 15 Cal.3d at 5.)

11 Objection. This request is so broad and unlimited as to time and scope as to be an unwarranted
12 annoyance, embarrassment, and is oppressive. Responding to this request would be an undue burden
13 and expense and the request is calculated to annoy and harass Responding Party. (*See* Code Civ. Proc.,
14 § 2031.060, subd. (b); and *Columbia Broadcasting System, Inc. v. Superior Court* (1968) 263 Cal.App.2d
15 12, 19.)

16 Objection: This request is so vague and ambiguous that responding to it would require
17 Responding Party to either speculate and/or make a legal conclusion as to the nature and scope of the
18 documents sought.

19 Objection. This request is not reasonably particularized. (Code Civ. Proc., § 2031.030, subd.
20 (c).)

21 Objection. This request has, in substance, been previously propounded. Continuous discovery
22 into the same matter constitutes oppression and Responding Party further objects on that ground.
23 (*Professional Career Colleges v. Superior Court* (1989) 207 Cal.App.3d 490, 493-494.)

24
25
26 **REQUEST FOR PRODUCTION AND INSPECTION No. 5:**

27 All WRITINGS that pertain in any way to each allegation in this lawsuit.
28

1 **RESPONSE TO REQUEST FOR PRODUCTION AND INSPECTION NO. 5:**

2 Objection. This discovery request seeks attorney work product in violation of Code of Civil
3 Procedure sections 2018.020 and 2018.030. (*Mack v. Superior Court of Sacramento County* (1968) 259
4 Cal.App.2d 7, 10; *Williamson v. Superior Court of Los Angeles County* (1978) 21 Cal.3d 829; *Brown v.*
5 *Superior Court of Butte County*, (1963) 218 Cal.App.2d 430; and *Nacht & Lewis Architects v. Superior*
6 *Court* (1996) 47 Cal.App.4th 214.) Code of Civil Procedure section 2018.030 subdivision (a) states, “[a]
7 writing that reflects an attorney’s impressions, conclusions, opinion, or legal research or theories is not
8 discoverable under any circumstances.” Subdivision (b) expands the protection to include any other
9 attorney work-product, “unless the court determines that denial of discovery will unfairly prejudice the
10 party seeking discovery in preparing that party’s claim or defense or will result in injustice.” The
11 purpose of this protection is to “[p]reserve the rights of attorneys to prepare cases for trial with that
12 degree of privacy necessary to encourage them to prepare their cases thoroughly and to investigate not
13 only the favorable but the unfavorable aspects of those cases,” and to “[p]revent attorneys from taking
14 undue advantage of their adversary’s industry and efforts.” (Code of Civ. Proc., § 2018.020.)
15 Information created by or resulting from an attorney’s work on behalf of a client that reflects the
16 attorney’s evaluation or interpretation of the law or the facts involved is therefore not discoverable.
17 (*Mack v. Superior Court* (1968) 259 Cal.App.2d 7, 10.)

18 Objection. This discovery request seeks information subject to the attorney-client privilege. The
19 attorney-client privilege is broadly construed, and extends to both “factual information” and “legal
20 advice.” (*Mitchell v. Superior Court* (1984) 37 Cal.3d 591, 601.)

21 Objection. The information sought by this interrogatory is equally available to the propounding
22 party. (*See* Code Civ. Proc., § 2030.220, subd. (c); and *Alpine Mutual Water Co. v. Superior Court* (1968)
23 259 Cal.App.2d 45.) A party has an obligation to make a reasonable and good faith effort to obtain
24 requested information, “except where the information is equally available to the propounding party.”
25 (Code of Civ. Proc., § 2030.220, subd. (c).)

26 Objection. This interrogatory seeks the legal reasoning and theories of plaintiff’s contentions.
27 Plaintiff is not required to prepare the defendant’s case. (*Sav-On Drugs, Inc. v. Superior Court* (1975) 15
28 Cal.3d 1, 5; *Ryan v. Superior Court of Los Angeles County* (1960) 186 Cal.App.2d 813, 819.) While it is

1 proper to discover a plaintiff’s legal contentions, the legal reasoning or theories behind the contentions
2 are not discoverable. (*Sav-On Drugs, Inc. v. Superior Court*, 15 Cal.3d at 5.)

3 Objection. This request is so broad and unlimited as to time and scope as to be an unwarranted
4 annoyance, embarrassment, and is oppressive. Responding to this request would be an undue burden
5 and expense and the request is calculated to annoy and harass Responding Party. (*See* Code Civ. Proc.,
6 § 2031.060, subd. (b); and *Columbia Broadcasting System, Inc. v. Superior Court* (1968) 263 Cal.App.2d
7 12, 19.)

8 Objection: This request is so vague and ambiguous that responding to it would require
9 Responding Party to either speculate and/or make a legal conclusion as to the nature and scope of the
10 documents sought.

11 Objection. This request is not reasonably particularized. (Code Civ. Proc., § 2031.030, subd.
12 (c).)

13 Objection. This request has, in substance, been previously propounded. Continuous discovery
14 into the same matter constitutes oppression and Responding Party further objects on that ground.
15 (*Professional Career Colleges v. Superior Court* (1989) 207 Cal.App.3d 490, 493-494.)

16
17
18 **REQUEST FOR PRODUCTION AND INSPECTION No. 6:**

19 All WRITINGS from each defendant in this lawsuit.

20
21 **RESPONSE TO REQUEST FOR PRODUCTION AND INSPECTION No. 6:**

22 Objection. This discovery request seeks attorney work product in violation of Code of Civil
23 Procedure sections 2018.020 and 2018.030. (*Mack v. Superior Court of Sacramento County* (1968) 259
24 Cal.App.2d 7, 10; *Williamson v. Superior Court of Los Angeles County* (1978) 21 Cal.3d 829; *Brown v.*
25 *Superior Court of Butte County*, (1963) 218 Cal.App.2d 430; and *Nacht & Lewis Architects v. Superior*
26 *Court* (1996) 47 Cal.App.4th 214.) Code of Civil Procedure section 2018.030 subdivision (a) states, “[a]
27 writing that reflects an attorney’s impressions, conclusions, opinion, or legal research or theories is not
28 discoverable under any circumstances.” Subdivision (b) expands the protection to include any other

1 attorney work-product, “unless the court determines that denial of discovery will unfairly prejudice the
2 party seeking discovery in preparing that party’s claim or defense or will result in injustice.” The
3 purpose of this protection is to “[p]reserve the rights of attorneys to prepare cases for trial with that
4 degree of privacy necessary to encourage them to prepare their cases thoroughly and to investigate not
5 only the favorable but the unfavorable aspects of those cases,” and to “[p]revent attorneys from taking
6 undue advantage of their adversary’s industry and efforts.” (Code of Civ. Proc., § 2018.020.)
7 Information created by or resulting from an attorney’s work on behalf of a client that reflects the
8 attorney’s evaluation or interpretation of the law or the facts involved is therefore not discoverable.
9 (*Mack v. Superior Court* (1968) 259 Cal.App.2d 7, 10.)

10 Objection. This discovery request seeks information subject to the attorney-client privilege. The
11 attorney-client privilege is broadly construed, and extends to both “factual information” and “legal
12 advice.” (*Mitchell v. Superior Court* (1984) 37 Cal.3d 591, 601.)

13 Objection. The information sought by this interrogatory is equally available to the propounding
14 party. (*See* Code Civ. Proc., § 2030.220, subd. (c); and *Alpine Mutual Water Co. v. Superior Court* (1968)
15 259 Cal.App.2d 45.) A party has an obligation to make a reasonable and good faith effort to obtain
16 requested information, “except where the information is equally available to the propounding party.”
17 (Code of Civ. Proc., § 2030.220, subd. (c).)

18 Objection. This interrogatory seeks the legal reasoning and theories of plaintiff’s contentions.
19 Plaintiff is not required to prepare the defendant’s case. (*Sav-On Drugs, Inc. v. Superior Court* (1975) 15
20 Cal.3d 1, 5; *Ryan v. Superior Court of Los Angeles County* (1960) 186 Cal.App.2d 813, 819.) While it is
21 proper to discover a plaintiff’s legal contentions, the legal reasoning or theories behind the contentions
22 are not discoverable. (*Sav-On Drugs, Inc. v. Superior Court*, 15 Cal.3d at 5.)

23 Objection. This request is so broad and unlimited as to time and scope as to be an unwarranted
24 annoyance, embarrassment, and is oppressive. Responding to this request would be an undue burden
25 and expense and the request is calculated to annoy and harass Responding Party. (*See* Code Civ. Proc.,
26 § 2031.060, subd. (b); and *Columbia Broadcasting System, Inc. v. Superior Court* (1968) 263 Cal.App.2d
27 12, 19.)

28 Objection: This request is so vague and ambiguous that responding to it would require

1 Responding Party to either speculate and/or make a legal conclusion as to the nature and scope of the
2 documents sought.

3 Objection. This request is not reasonably particularized. (Code Civ. Proc., § 2031.030, subd.
4 (c).)

5 Objection. This request has, in substance, been previously propounded. Continuous discovery
6 into the same matter constitutes oppression and Responding Party further objects on that ground.
7 (*Professional Career Colleges v. Superior Court* (1989) 207 Cal.App.3d 490, 493-494.)

8
9 **REQUEST FOR PRODUCTION AND INSPECTION NO. 7:**

10 Every tangible document, record, photograph, videotape, or thing that corroborates your claim
11 that propounding party is liable for the First Cause of Action in your First Amended Complaint.

12
13 **RESPONSE TO REQUEST FOR PRODUCTION AND INSPECTION NO. 7:**

14 Objection. This discovery request seeks attorney work product in violation of Code of Civil
15 Procedure sections 2018.020 and 2018.030. (*Mack v. Superior Court of Sacramento County* (1968) 259
16 Cal.App.2d 7, 10; *Williamson v. Superior Court of Los Angeles County* (1978) 21 Cal.3d 829; *Brown v.*
17 *Superior Court of Butte County*, (1963) 218 Cal.App.2d 430; and *Nacht & Lewis Architects v. Superior*
18 *Court* (1996) 47 Cal.App.4th 214.) Code of Civil Procedure section 2018.030 subdivision (a) states, “[a]
19 writing that reflects an attorney’s impressions, conclusions, opinion, or legal research or theories is not
20 discoverable under any circumstances.” Subdivision (b) expands the protection to include any other
21 attorney work-product, “unless the court determines that denial of discovery will unfairly prejudice the
22 party seeking discovery in preparing that party’s claim or defense or will result in injustice.” The
23 purpose of this protection is to “[p]reserve the rights of attorneys to prepare cases for trial with that
24 degree of privacy necessary to encourage them to prepare their cases thoroughly and to investigate not
25 only the favorable but the unfavorable aspects of those cases,” and to “[p]revent attorneys from taking
26 undue advantage of their adversary’s industry and efforts.” (Code of Civ. Proc., § 2018.020.)
27 Information created by or resulting from an attorney’s work on behalf of a client that reflects the
28 attorney’s evaluation or interpretation of the law or the facts involved is therefore not discoverable.

1 (*Mack v. Superior Court* (1968) 259 Cal.App.2d 7, 10.)

2 Objection. This discovery request seeks information subject to the attorney-client privilege. The
3 attorney-client privilege is broadly construed, and extends to both “factual information” and “legal
4 advice.” (*Mitchell v. Superior Court* (1984) 37 Cal.3d 591, 601.)

5 Objection. The information sought by this interrogatory is equally available to the propounding
6 party. (*See Code Civ. Proc.*, § 2030.220, subd. (c); and *Alpine Mutual Water Co. v. Superior Court* (1968)
7 259 Cal.App.2d 45.) A party has an obligation to make a reasonable and good faith effort to obtain
8 requested information, “except where the information is equally available to the propounding party.”
9 (*Code of Civ. Proc.*, § 2030.220, subd. (c).)

10 Objection. This interrogatory seeks the legal reasoning and theories of plaintiff’s contentions.
11 Plaintiff is not required to prepare the defendant’s case. (*Sav-On Drugs, Inc. v. Superior Court* (1975) 15
12 Cal.3d 1, 5; *Ryan v. Superior Court of Los Angeles County* (1960) 186 Cal.App.2d 813, 819.) While it is
13 proper to discover a plaintiff’s legal contentions, the legal reasoning or theories behind the contentions
14 are not discoverable. (*Sav-On Drugs, Inc. v. Superior Court*, 15 Cal.3d at 5.)

15 Objection. This request is so broad and unlimited as to time and scope as to be an unwarranted
16 annoyance, embarrassment, and is oppressive. Responding to this request would be an undue burden
17 and expense and the request is calculated to annoy and harass Responding Party. (*See Code Civ. Proc.*,
18 § 2031.060, subd. (b); and *Columbia Broadcasting System, Inc. v. Superior Court* (1968) 263 Cal.App.2d
19 12, 19.)

20 Objection: This request is so vague and ambiguous that responding to it would require
21 Responding Party to either speculate and/or make a legal conclusion as to the nature and scope of the
22 documents sought.

23 Objection. This request is not reasonably particularized. (*Code Civ. Proc.*, § 2031.030, subd.
24 (c).)

25 Objection. This request has, in substance, been previously propounded. Continuous discovery
26 into the same matter constitutes oppression and Responding Party further objects on that ground.
27 (*Professional Career Colleges v. Superior Court* (1989) 207 Cal.App.3d 490, 493-494.)

28

1 **REQUEST FOR PRODUCTION AND INSPECTION NO. 8:**

2 Every tangible document, record, photograph, videotape, or thing that corroborates your claim
3 that propounding party is liable for the Second Cause of Action in your First Amended Complaint.
4

5 **RESPONSE TO REQUEST FOR PRODUCTION AND INSPECTION NO. 8:**

6 Objection. This discovery request seeks attorney work product in violation of Code of Civil
7 Procedure sections 2018.020 and 2018.030. (*Mack v. Superior Court of Sacramento County* (1968) 259
8 Cal.App.2d 7, 10; *Williamson v. Superior Court of Los Angeles County* (1978) 21 Cal.3d 829; *Brown v.*
9 *Superior Court of Butte County*, (1963) 218 Cal.App.2d 430; and *Nacht & Lewis Architects v. Superior*
10 *Court* (1996) 47 Cal.App.4th 214.) Code of Civil Procedure section 2018.030 subdivision (a) states, “[a]
11 writing that reflects an attorney’s impressions, conclusions, opinion, or legal research or theories is not
12 discoverable under any circumstances.” Subdivision (b) expands the protection to include any other
13 attorney work-product, “unless the court determines that denial of discovery will unfairly prejudice the
14 party seeking discovery in preparing that party’s claim or defense or will result in injustice.” The
15 purpose of this protection is to “[p]reserve the rights of attorneys to prepare cases for trial with that
16 degree of privacy necessary to encourage them to prepare their cases thoroughly and to investigate not
17 only the favorable but the unfavorable aspects of those cases,” and to “[p]revent attorneys from taking
18 undue advantage of their adversary’s industry and efforts.” (Code of Civ. Proc., § 2018.020.)
19 Information created by or resulting from an attorney’s work on behalf of a client that reflects the
20 attorney’s evaluation or interpretation of the law or the facts involved is therefore not discoverable.
21 (*Mack v. Superior Court* (1968) 259 Cal.App.2d 7, 10.)

22 Objection. This discovery request seeks information subject to the attorney-client privilege. The
23 attorney-client privilege is broadly construed, and extends to both “factual information” and “legal
24 advice.” (*Mitchell v. Superior Court* (1984) 37 Cal.3d 591, 601.)

25 Objection. The information sought by this interrogatory is equally available to the propounding
26 party. (*See* Code Civ. Proc., § 2030.220, subd. (c); and *Alpine Mutual Water Co. v. Superior Court* (1968)
27 259 Cal.App.2d 45.) A party has an obligation to make a reasonable and good faith effort to obtain
28 requested information, “except where the information is equally available to the propounding party.”

1 (Code of Civ. Proc., § 2030.220, subd. (c).)

2 Objection. This interrogatory seeks the legal reasoning and theories of plaintiff's contentions.
3 Plaintiff is not required to prepare the defendant's case. (*Sav-On Drugs, Inc. v. Superior Court* (1975) 15
4 Cal.3d 1, 5; *Ryan v. Superior Court of Los Angeles County* (1960) 186 Cal.App.2d 813, 819.) While it is
5 proper to discover a plaintiff's legal contentions, the legal reasoning or theories behind the contentions
6 are not discoverable. (*Sav-On Drugs, Inc. v. Superior Court*, 15 Cal.3d at 5.)

7 Objection. This request is so broad and unlimited as to time and scope as to be an unwarranted
8 annoyance, embarrassment, and is oppressive. Responding to this request would be an undue burden
9 and expense and the request is calculated to annoy and harass Responding Party. (*See* Code Civ. Proc.,
10 § 2031.060, subd. (b); and *Columbia Broadcasting System, Inc. v. Superior Court* (1968) 263 Cal.App.2d
11 12, 19.)

12 Objection: This request is so vague and ambiguous that responding to it would require
13 Responding Party to either speculate and/or make a legal conclusion as to the nature and scope of the
14 documents sought.

15 Objection. This request is not reasonably particularized. (Code Civ. Proc., § 2031.030, subd.
16 (c).)

17 Objection. This request has, in substance, been previously propounded. Continuous discovery
18 into the same matter constitutes oppression and Responding Party further objects on that ground.
19 (*Professional Career Colleges v. Superior Court* (1989) 207 Cal.App.3d 490, 493-494.)

20
21 **REQUEST FOR PRODUCTION AND INSPECTION No. 9:**

22 Every tangible document, record, photograph, videotape, or thing that corroborates your claim
23 that propounding party is liable for the Third Cause of Action in your First Amended Complaint.

24
25 **RESPONSE TO REQUEST FOR PRODUCTION AND INSPECTION No. 9:**

26 Objection. This discovery request seeks attorney work product in violation of Code of Civil
27 Procedure sections 2018.020 and 2018.030. (*Mack v. Superior Court of Sacramento County* (1968) 259
28 Cal.App.2d 7, 10; *Williamson v. Superior Court of Los Angeles County* (1978) 21 Cal.3d 829; *Brown v.*

1 *Superior Court of Butte County*, (1963) 218 Cal.App.2d 430; and *Nacht & Lewis Architects v. Superior*
2 *Court* (1996) 47 Cal.App.4th 214.) Code of Civil Procedure section 2018.030 subdivision (a) states, “[a]
3 writing that reflects an attorney’s impressions, conclusions, opinion, or legal research or theories is not
4 discoverable under any circumstances.” Subdivision (b) expands the protection to include any other
5 attorney work-product, “unless the court determines that denial of discovery will unfairly prejudice the
6 party seeking discovery in preparing that party’s claim or defense or will result in injustice.” The
7 purpose of this protection is to “[p]reserve the rights of attorneys to prepare cases for trial with that
8 degree of privacy necessary to encourage them to prepare their cases thoroughly and to investigate not
9 only the favorable but the unfavorable aspects of those cases,” and to “[p]revent attorneys from taking
10 undue advantage of their adversary’s industry and efforts.” (Code of Civ. Proc., § 2018.020.)
11 Information created by or resulting from an attorney’s work on behalf of a client that reflects the
12 attorney’s evaluation or interpretation of the law or the facts involved is therefore not discoverable.
13 (*Mack v. Superior Court* (1968) 259 Cal.App.2d 7, 10.)

14 Objection. This discovery request seeks information subject to the attorney-client privilege. The
15 attorney-client privilege is broadly construed, and extends to both “factual information” and “legal
16 advice.” (*Mitchell v. Superior Court* (1984) 37 Cal.3d 591, 601.)

17 Objection. The information sought by this interrogatory is equally available to the propounding
18 party. (*See* Code Civ. Proc., § 2030.220, subd. (c); and *Alpine Mutual Water Co. v. Superior Court* (1968)
19 259 Cal.App.2d 45.) A party has an obligation to make a reasonable and good faith effort to obtain
20 requested information, “except where the information is equally available to the propounding party.”
21 (Code of Civ. Proc., § 2030.220, subd. (c).)

22 Objection. This interrogatory seeks the legal reasoning and theories of plaintiff’s contentions.
23 Plaintiff is not required to prepare the defendant’s case. (*Sav-On Drugs, Inc. v. Superior Court* (1975) 15
24 Cal.3d 1, 5; *Ryan v. Superior Court of Los Angeles County* (1960) 186 Cal.App.2d 813, 819.) While it is
25 proper to discover a plaintiff’s legal contentions, the legal reasoning or theories behind the contentions
26 are not discoverable. (*Sav-On Drugs, Inc. v. Superior Court*, 15 Cal.3d at 5.)

27 Objection. This request is so broad and unlimited as to time and scope as to be an unwarranted
28 annoyance, embarrassment, and is oppressive. Responding to this request would be an undue burden

1 and expense and the request is calculated to annoy and harass Responding Party. (*See* Code Civ. Proc.,
2 § 2031.060, subd. (b); and *Columbia Broadcasting System, Inc. v. Superior Court* (1968) 263 Cal.App.2d
3 12, 19.)

4 Objection: This request is so vague and ambiguous that responding to it would require
5 Responding Party to either speculate and/or make a legal conclusion as to the nature and scope of the
6 documents sought.

7 Objection. This request is not reasonably particularized. (Code Civ. Proc., § 2031.030, subd.
8 (c).)

9 Objection. This request has, in substance, been previously propounded. Continuous discovery
10 into the same matter constitutes oppression and Responding Party further objects on that ground.
11 (*Professional Career Colleges v. Superior Court* (1989) 207 Cal.App.3d 490, 493-494.)

12
13 **REQUEST FOR PRODUCTION AND INSPECTION No. 10:**

14 Every tangible document, record, photograph, videotape, or thing that corroborates your claim
15 that propounding party is liable for the Fourth Cause of Action in your First Amended Complaint.

16
17 **RESPONSE TO REQUEST FOR PRODUCTION AND INSPECTION No. 10:**

18 Objection. This discovery request seeks attorney work product in violation of Code of Civil
19 Procedure sections 2018.020 and 2018.030. (*Mack v. Superior Court of Sacramento County* (1968) 259
20 Cal.App.2d 7, 10; *Williamson v. Superior Court of Los Angeles County* (1978) 21 Cal.3d 829; *Brown v.*
21 *Superior Court of Butte County*, (1963) 218 Cal.App.2d 430; and *Nacht & Lewis Architects v. Superior*
22 *Court* (1996) 47 Cal.App.4th 214.) Code of Civil Procedure section 2018.030 subdivision (a) states, “[a]
23 writing that reflects an attorney’s impressions, conclusions, opinion, or legal research or theories is not
24 discoverable under any circumstances.” Subdivision (b) expands the protection to include any other
25 attorney work-product, “unless the court determines that denial of discovery will unfairly prejudice the
26 party seeking discovery in preparing that party’s claim or defense or will result in injustice.” The
27 purpose of this protection is to “[p]reserve the rights of attorneys to prepare cases for trial with that
28 degree of privacy necessary to encourage them to prepare their cases thoroughly and to investigate not

1 only the favorable but the unfavorable aspects of those cases,” and to “[p]revent attorneys from taking
2 undue advantage of their adversary’s industry and efforts.” (Code of Civ. Proc., § 2018.020.)
3 Information created by or resulting from an attorney’s work on behalf of a client that reflects the
4 attorney’s evaluation or interpretation of the law or the facts involved is therefore not discoverable.
5 (*Mack v. Superior Court* (1968) 259 Cal.App.2d 7, 10.)

6 Objection. This discovery request seeks information subject to the attorney-client privilege. The
7 attorney-client privilege is broadly construed, and extends to both “factual information” and “legal
8 advice.” (*Mitchell v. Superior Court* (1984) 37 Cal.3d 591, 601.)

9 Objection. The information sought by this interrogatory is equally available to the propounding
10 party. (*See* Code Civ. Proc., § 2030.220, subd. (c); and *Alpine Mutual Water Co. v. Superior Court* (1968)
11 259 Cal.App.2d 45.) A party has an obligation to make a reasonable and good faith effort to obtain
12 requested information, “except where the information is equally available to the propounding party.”
13 (Code of Civ. Proc., § 2030.220, subd. (c).)

14 Objection. This interrogatory seeks the legal reasoning and theories of plaintiff’s contentions.
15 Plaintiff is not required to prepare the defendant’s case. (*Sav-On Drugs, Inc. v. Superior Court* (1975) 15
16 Cal.3d 1, 5; *Ryan v. Superior Court of Los Angeles County* (1960) 186 Cal.App.2d 813, 819.) While it is
17 proper to discover a plaintiff’s legal contentions, the legal reasoning or theories behind the contentions
18 are not discoverable. (*Sav-On Drugs, Inc. v. Superior Court*, 15 Cal.3d at 5.)

19 Objection. This request is so broad and unlimited as to time and scope as to be an unwarranted
20 annoyance, embarrassment, and is oppressive. Responding to this request would be an undue burden
21 and expense and the request is calculated to annoy and harass Responding Party. (*See* Code Civ. Proc.,
22 § 2031.060, subd. (b); and *Columbia Broadcasting System, Inc. v. Superior Court* (1968) 263 Cal.App.2d
23 12, 19.)

24 Objection: This request is so vague and ambiguous that responding to it would require
25 Responding Party to either speculate and/or make a legal conclusion as to the nature and scope of the
26 documents sought.

27 Objection. This request is not reasonably particularized. (Code Civ. Proc., § 2031.030, subd.
28 (c).)

1 Objection. This request has, in substance, been previously propounded. Continuous discovery
2 into the same matter constitutes oppression and Responding Party further objects on that ground.
3 (*Professional Career Colleges v. Superior Court* (1989) 207 Cal.App.3d 490, 493-494.)
4

5 **REQUEST FOR PRODUCTION AND INSPECTION NO. 11:**

6 Every tangible document, record, photograph, videotape, or thing that corroborates your claim
7 that propounding party is liable for the Fifth Cause of Action in your First Amended Complaint.
8

9 **RESPONSE TO REQUEST FOR PRODUCTION AND INSPECTION NO. 11:**

10 Objection. This discovery request seeks attorney work product in violation of Code of Civil
11 Procedure sections 2018.020 and 2018.030. (*Mack v. Superior Court of Sacramento County* (1968) 259
12 Cal.App.2d 7, 10; *Williamson v. Superior Court of Los Angeles County* (1978) 21 Cal.3d 829; *Brown v.*
13 *Superior Court of Butte County*, (1963) 218 Cal.App.2d 430; and *Nacht & Lewis Architects v. Superior*
14 *Court* (1996) 47 Cal.App.4th 214.) Code of Civil Procedure section 2018.030 subdivision (a) states, “[a]
15 writing that reflects an attorney’s impressions, conclusions, opinion, or legal research or theories is not
16 discoverable under any circumstances.” Subdivision (b) expands the protection to include any other
17 attorney work-product, “unless the court determines that denial of discovery will unfairly prejudice the
18 party seeking discovery in preparing that party’s claim or defense or will result in injustice.” The
19 purpose of this protection is to “[p]reserve the rights of attorneys to prepare cases for trial with that
20 degree of privacy necessary to encourage them to prepare their cases thoroughly and to investigate not
21 only the favorable but the unfavorable aspects of those cases,” and to “[p]revent attorneys from taking
22 undue advantage of their adversary’s industry and efforts.” (Code of Civ. Proc., § 2018.020.)
23 Information created by or resulting from an attorney’s work on behalf of a client that reflects the
24 attorney’s evaluation or interpretation of the law or the facts involved is therefore not discoverable.
25 (*Mack v. Superior Court* (1968) 259 Cal.App.2d 7, 10.)

26 Objection. This discovery request seeks information subject to the attorney-client privilege. The
27 attorney-client privilege is broadly construed, and extends to both “factual information” and “legal
28 advice.” (*Mitchell v. Superior Court* (1984) 37 Cal.3d 591, 601.)

1 Objection. The information sought by this interrogatory is equally available to the propounding
2 party. (*See* Code Civ. Proc., § 2030.220, subd. (c); and *Alpine Mutual Water Co. v. Superior Court* (1968)
3 259 Cal.App.2d 45.) A party has an obligation to make a reasonable and good faith effort to obtain
4 requested information, “except where the information is equally available to the propounding party.”
5 (Code of Civ. Proc., § 2030.220, subd. (c).)

6 Objection. This interrogatory seeks the legal reasoning and theories of plaintiff’s contentions.
7 Plaintiff is not required to prepare the defendant’s case. (*Sav-On Drugs, Inc. v. Superior Court* (1975) 15
8 Cal.3d 1, 5; *Ryan v. Superior Court of Los Angeles County* (1960) 186 Cal.App.2d 813, 819.) While it is
9 proper to discover a plaintiff’s legal contentions, the legal reasoning or theories behind the contentions
10 are not discoverable. (*Sav-On Drugs, Inc. v. Superior Court*, 15 Cal.3d at 5.)

11 Objection. This request is so broad and unlimited as to time and scope as to be an unwarranted
12 annoyance, embarrassment, and is oppressive. Responding to this request would be an undue burden
13 and expense and the request is calculated to annoy and harass Responding Party. (*See* Code Civ. Proc.,
14 § 2031.060, subd. (b); and *Columbia Broadcasting System, Inc. v. Superior Court* (1968) 263 Cal.App.2d
15 12, 19.)

16 Objection: This request is so vague and ambiguous that responding to it would require
17 Responding Party to either speculate and/or make a legal conclusion as to the nature and scope of the
18 documents sought.

19 Objection. This request is not reasonably particularized. (Code Civ. Proc., § 2031.030, subd.
20 (c).)

21 Objection. This request has, in substance, been previously propounded. Continuous discovery
22 into the same matter constitutes oppression and Responding Party further objects on that ground.
23 (*Professional Career Colleges v. Superior Court* (1989) 207 Cal.App.3d 490, 493-494.)

24
25 **REQUEST FOR PRODUCTION AND INSPECTION No. 12:**

26 Every tangible document, record, photograph, videotape, or thing that corroborates the nature
27 and extent of any damages that you allege that you have suffered as a result of the conduct of the
28 propounding party.

1
2 **RESPONSE TO REQUEST FOR PRODUCTION AND INSPECTION NO. 12:**

3 Objection. This discovery request seeks attorney work product in violation of Code of Civil
4 Procedure sections 2018.020 and 2018.030. (*Mack v. Superior Court of Sacramento County* (1968) 259
5 Cal.App.2d 7, 10; *Williamson v. Superior Court of Los Angeles County* (1978) 21 Cal.3d 829; *Brown v.*
6 *Superior Court of Butte County*, (1963) 218 Cal.App.2d 430; and *Nacht & Lewis Architects v. Superior*
7 *Court* (1996) 47 Cal.App.4th 214.) Code of Civil Procedure section 2018.030 subdivision (a) states, “[a]
8 writing that reflects an attorney’s impressions, conclusions, opinion, or legal research or theories is not
9 discoverable under any circumstances.” Subdivision (b) expands the protection to include any other
10 attorney work-product, “unless the court determines that denial of discovery will unfairly prejudice the
11 party seeking discovery in preparing that party’s claim or defense or will result in injustice.” The
12 purpose of this protection is to “[p]reserve the rights of attorneys to prepare cases for trial with that
13 degree of privacy necessary to encourage them to prepare their cases thoroughly and to investigate not
14 only the favorable but the unfavorable aspects of those cases,” and to “[p]revent attorneys from taking
15 undue advantage of their adversary’s industry and efforts.” (Code of Civ. Proc., § 2018.020.)
16 Information created by or resulting from an attorney’s work on behalf of a client that reflects the
17 attorney’s evaluation or interpretation of the law or the facts involved is therefore not discoverable.
18 (*Mack v. Superior Court* (1968) 259 Cal.App.2d 7, 10.)

19 Objection. This discovery request seeks information subject to the attorney-client privilege. The
20 attorney-client privilege is broadly construed, and extends to both “factual information” and “legal
21 advice.” (*Mitchell v. Superior Court* (1984) 37 Cal.3d 591, 601.)

22 Objection. The information sought by this interrogatory is equally available to the propounding
23 party. (*See* Code Civ. Proc., § 2030.220, subd. (c); and *Alpine Mutual Water Co. v. Superior Court* (1968)
24 259 Cal.App.2d 45.) A party has an obligation to make a reasonable and good faith effort to obtain
25 requested information, “except where the information is equally available to the propounding party.”
26 (Code of Civ. Proc., § 2030.220, subd. (c).)

27 Objection. This interrogatory seeks the legal reasoning and theories of plaintiff’s contentions.
28 Plaintiff is not required to prepare the defendant’s case. (*Sav-On Drugs, Inc. v. Superior Court* (1975) 15

1 Cal.3d 1, 5; *Ryan v. Superior Court of Los Angeles County* (1960) 186 Cal.App.2d 813, 819.) While it is
2 proper to discover a plaintiff’s legal contentions, the legal reasoning or theories behind the contentions
3 are not discoverable. (*Sav-On Drugs, Inc. v. Superior Court*, 15 Cal.3d at 5.)

4 Objection. This request is so broad and unlimited as to time and scope as to be an unwarranted
5 annoyance, embarrassment, and is oppressive. Responding to this request would be an undue burden
6 and expense and the request is calculated to annoy and harass Responding Party. (*See* Code Civ. Proc.,
7 § 2031.060, subd. (b); and *Columbia Broadcasting System, Inc. v. Superior Court* (1968) 263 Cal.App.2d
8 12, 19.)

9 Objection: This request is so vague and ambiguous that responding to it would require
10 Responding Party to either speculate and/or make a legal conclusion as to the nature and scope of the
11 documents sought.

12 Objection. This request is not reasonably particularized. (Code Civ. Proc., § 2031.030, subd.
13 (c).)

14
15 **REQUEST FOR PRODUCTION AND INSPECTION No. 13:**

16 Every tangible document, record, photograph, videotape, or thing that corroborates the nature
17 and extent of any damages that you allege that you have suffered as a result of the conduct of any non-
18 propounding party.

19
20 **RESPONSE TO REQUEST FOR PRODUCTION AND INSPECTION No. 13:**

21 Objection. This discovery request seeks attorney work product in violation of Code of Civil
22 Procedure sections 2018.020 and 2018.030. (*Mack v. Superior Court of Sacramento County* (1968) 259
23 Cal.App.2d 7, 10; *Williamson v. Superior Court of Los Angeles County* (1978) 21 Cal.3d 829; *Brown v.*
24 *Superior Court of Butte County*, (1963) 218 Cal.App.2d 430; and *Nacht & Lewis Architects v. Superior*
25 *Court* (1996) 47 Cal.App.4th 214.) Code of Civil Procedure section 2018.030 subdivision (a) states, “[a]
26 writing that reflects an attorney’s impressions, conclusions, opinion, or legal research or theories is not
27 discoverable under any circumstances.” Subdivision (b) expands the protection to include any other
28 attorney work-product, “unless the court determines that denial of discovery will unfairly prejudice the

1 party seeking discovery in preparing that party’s claim or defense or will result in injustice.” The
2 purpose of this protection is to “[p]reserve the rights of attorneys to prepare cases for trial with that
3 degree of privacy necessary to encourage them to prepare their cases thoroughly and to investigate not
4 only the favorable but the unfavorable aspects of those cases,” and to “[p]revent attorneys from taking
5 undue advantage of their adversary’s industry and efforts.” (Code of Civ. Proc., § 2018.020.)
6 Information created by or resulting from an attorney’s work on behalf of a client that reflects the
7 attorney’s evaluation or interpretation of the law or the facts involved is therefore not discoverable.
8 (*Mack v. Superior Court* (1968) 259 Cal.App.2d 7, 10.)

9 Objection. This discovery request seeks information subject to the attorney-client privilege. The
10 attorney-client privilege is broadly construed, and extends to both “factual information” and “legal
11 advice.” (*Mitchell v. Superior Court* (1984) 37 Cal.3d 591, 601.)

12 Objection. The information sought by this interrogatory is equally available to the propounding
13 party. (*See* Code Civ. Proc., § 2030.220, subd. (c); and *Alpine Mutual Water Co. v. Superior Court* (1968)
14 259 Cal.App.2d 45.) A party has an obligation to make a reasonable and good faith effort to obtain
15 requested information, “except where the information is equally available to the propounding party.”
16 (Code of Civ. Proc., § 2030.220, subd. (c).)

17 Objection. This interrogatory seeks the legal reasoning and theories of plaintiff’s contentions.
18 Plaintiff is not required to prepare the defendant’s case. (*Sav-On Drugs, Inc. v. Superior Court* (1975) 15
19 Cal.3d 1, 5; *Ryan v. Superior Court of Los Angeles County* (1960) 186 Cal.App.2d 813, 819.) While it is
20 proper to discover a plaintiff’s legal contentions, the legal reasoning or theories behind the contentions
21 are not discoverable. (*Sav-On Drugs, Inc. v. Superior Court*, 15 Cal.3d at 5.)

22 Objection. This request is so broad and unlimited as to time and scope as to be an unwarranted
23 annoyance, embarrassment, and is oppressive. Responding to this request would be an undue burden
24 and expense and the request is calculated to annoy and harass Responding Party. (*See* Code Civ. Proc.,
25 § 2031.060, subd. (b); and *Columbia Broadcasting System, Inc. v. Superior Court* (1968) 263 Cal.App.2d
26 12, 19.)

27 Objection: This request is so vague and ambiguous that responding to it would require
28 Responding Party to either speculate and/or make a legal conclusion as to the nature and scope of the

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documents sought.

Objection. This request is not reasonably particularized. (Code Civ. Proc., § 2031.030, subd. (c).)

Dated: July 24, 2024

LUBIN PHAM + CAPLIN LLP

By: s/ JC Chimoures
Michael C. Lubin
Namson Pham
JC Chimoures
Attorneys for Plaintiff,
Vickie Lynn Brown-Driver

PROOF OF SERVICE

At the time of service, I was over the age of eighteen years and not a party to this action. I am employed by LUBIN PHAM + CAPLIN LLP, whose business address is: 19200 Von Karman Suite #400, Irvine, CA 92612.

On July 24, 2024, I served the following document(s):

- ① PLAINTIFF’S OBJECTION TO OCEANSIDE COMMUNITY ASSOCIATION NOTICE OF REMOTE DEPOSITION AND REQUESTS FOR PRODUCTION OF DOCUMENTS

I served the above-listed documents on the following interested parties:

Darin Boles
darin.boles@farmersinsurance.com
Farmers Insurance SoCal Legal Division
socal.legal@farmersinsurance.com
LAW OFFICES OF SCOTT C. STRATMAN
3111 Camino Del Rio N.
Suite 700
San Diego, CA 92108
Phone: (619) 288-8432

Attorney for Oceanside Community Association

William A. Smelko
bill.smelko@procopio.com
Eric A. Plourde
eric.plourde@procopio.com
David W. Gouzoules
david.gouzoules@procopio.com
Jessica Stuhlmiller
jessica.stuhlmiller@procopio.com
Barb Young
barb.young@procopio.com
PROCOPIO, CORY, HARGREAVES & SAVITCH LLP
525 B Street, Suite 2200
San Diego, CA 92101
Phone: (619) 238-1900

*Co-Counsel for
Oceanside Community Association*

John M. Turner
jmt@tmsdlaw.com
Heidi Whitney
hcw@tmsdlaw.com
TURNER LAW
600 B. Street
Suite 1700
San Diego, CA 92101
Phone: (619) 237-1212

Attorney for Oceanside Land Company

By Personal Service (Code Civ. Proc., § 1011)—I personally served the document(s) to the above party or parties. (1) For a party represented by an attorney, delivery was made (a) to the attorney personally; or (b) by leaving the documents at the attorney’s office, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office; or (c) if there was no person in the office with whom the notice or papers could be left, by leaving them in a conspicuous place in the office between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving

1 the documents at the party’s residence with some person not younger than 18 years of age
2 between the hours of eight in the morning and eight in the evening.

3 **By Mail** (Code Civ. Proc., § 1013 subd. (a))—I sealed the above-titled document(s) in an
4 envelope with postage paid, addressed to each of the above listed persons at their corresponding
address and deposited the envelope in a post office, mailbox, subpost office, substation, or mail
chute, or other like facility regularly maintained by the United States Postal Service.

5 **By Express Mail** (Code Civ. Proc., § 1013, subd. (c))—I sealed the above-titled document(s) in
6 an envelope with Express Mail postage paid, addressed to each of the above listed persons at
7 their corresponding address and deposited the envelope in a post office, mailbox, subpost office,
substation, or mail chute, or other like facility regularly maintained by the United States Postal
Service for receipt of Express Mail.

8 **By Other Overnight Delivery** (Code Civ. Proc., § 1013, subd. (c))—I placed the above-titled
9 document(s) in an envelope or package designated by the express service carrier with delivery
10 fees paid or provided for, addressed to each of the above listed persons at their corresponding
11 address and deposited the envelope or package in a box or other facility regularly maintained by
the express service carrier, or delivered the envelope or package to an authorized courier or
driver authorized by the express service carrier to receive documents. The Other Overnight
Delivery Service was:

- United Parcel Service (UPS)
- Federal Express (FedEx)

13 **By Electronic Service** (Code Civ. Proc., § 1010.6)—I caused an electronic filing service
14 provider to electronically serve the above-titled document(s) at the time the document(s) were
15 submitted for filing with the Court, using the email address for each recipient that is on file with
the electronic filing service provider for each party served, as indicated in the “Order Receipt”
from the electronic filing service provider, which is incorporated here by reference.

16 **By E-Mail** (Code Civ. Proc., § 1010.6)—I electronically served the above-titled document(s) to
17 the above party or parties and either the party or parties expressly consented to receive
18 electronic service in this action or the party or parties are represented and the court has ordered,
or the arbitrator has ordered or otherwise authorized, electronic service on the party or parties’
representative.

19
20 I declare under penalty of perjury under the laws of the State of California that the foregoing is
21 true and correct.

22 Executed on July 24, 2024

LUBIN PHAM + CAPLIN LLP

23 By: *Kristin McCord*
24 Kristin McCord