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6 Attorneys For: Defendants, Marc L. Luzzatto, Village Trailer Park, LLC, Village Trailer Park, a  
California Corporation (sued by the incorrect name of Village Trailer Park, Inc.),  
7 Dennis Shay and June Willis (and no others)

8 **SUPERIOR COURT OF CALIFORNIA**  
9 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

11 BRENDA BARNES,

12 Plaintiff,

13 vs.

14 MARC L. LUZZATTO; JAMES MURAMATSU;  
15 VILLAGE TRAILER PARK, LLC; VILLAGE  
16 TRAILER PARK, INC.; J&H ASSET PROPERTY  
17 MGT [sic] INC.; JAMES GEORGE JOFFE; JILL  
ARTEAGA; DENNIS SHAY; JUNE WILLIS;  
18 JAMES BREWSTER; and DOES 1 to 20, inclusive,

19 Defendants.

Case No.: **BC 473905**

**RESPONSE TO FORM  
INTERROGATORIES**

21 PROPOUNDING PARTY:

Plaintiff, BRENDA BARNES

22 RESPONDING PARTY:

23 Defendant, VILLAGE TRAILER PARK, a California  
Corporation (sued by the incorrect name of VILLAGE  
TRAILER PARK, INC.)

24 SET:

ONE

26 **INTRODUCTORY STATEMENT INCORPORATED INTO ALL RESPONSES**

27 **INTRODUCTION**

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1 In responding to these Form Interrogatories, Responding Party has furnished such information as is  
2 presently available to Responding Party which may include hearsay and other forms of information which is  
3 neither reliable nor admissible in evidence. Responding Party reserves all objections relating to inadmissible  
4 evidence, reserves the right to introduce at trial evidence which is presently unknown and/or is discovered  
5 subsequently to the date of these responses, and reserves the right to amend or supplement these responses  
6 without motion at any time.

7 It should be noted that this Responding Party has not fully and completely investigated the facts  
8 relating to this case, has not fully completed discovery in this action and has not completed preparation for  
9 trial. All of the responses contained herein are based only upon such information and documents which are  
10 presently available to and specifically known to this Responding Party. It is anticipated that further discovery,  
11 independent investigation, legal research and analysis will supply additional facts, add meaning to the known  
12 facts as well as establish entirely new factual conclusions herein set forth. The following responses and  
13 objections are given without prejudice to Responding Party's right to produce evidence of any subsequently  
14 discovered fact or facts which this Responding Party may later recall. Responding Party accordingly reserves  
15 the right to amend or supplement any and all responses herein as additional facts are ascertained, analysis is  
16 made and legal research is completed. The responses contained herein are made in a good faith effort to  
17 supply as much factual information and the specificity of legal contentions as is presently known, but in no  
18 way should such responses prejudice Responding Party in relation to further discovery, research or analysis.  
19 Further, the responses contained herein are made without prejudice to Responding Party's right to produce  
20 facts, witnesses and documents omitted from these responses by oversight, inadvertence and good faith error  
21 or mistake.

22 Responding Party further hereby imposes a blanket objection to each Form Interrogatory which refers  
23 to the word "INCIDENT" and the phrase "scene of the INCIDENT" on the grounds that all such  
24 Interrogatories are vague and ambiguous, as there are many "incidents" alleged in Plaintiff's complaint that  
25 refer to multiple actions purportedly undertaken by some or all of the ten (10) separately named Defendants  
26 over a period of several years, and occurred in many different locations. Plaintiff has failed to adequately  
27 plead which specific Defendants engaged in which of the many activities which Plaintiff alleges in her First  
28 Amended Complaint and precisely when and where said activities occurred. This objection is hereby

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1 incorporated into each response which references the word "INCIDENT" or the phrase "scene of the  
2 INCIDENT."

3  
4 **1.0 Identity of Persons Answering these Interrogatories**

5 1.1 State the name, ADDRESS, telephone number, and relationship to you of each PERSON who prepared  
6 or assisted in the preparation of the responses to these interrogatories.

7 RESPONSE: Robin G. Eifler, Dowdall Law Offices, A.P.C., Attorneys for the Responding Party;  
8 Marc L. Luzzatto, president of The Luzzatto Company, Inc., 3110 Main Street, Suite 200, Santa Monica, CA  
9 90405; 310.829.7181; Steven Elson; 3110 Main Street, Suite 200, Santa Monica, CA 90405; 310.829.7181;  
10 employee of The Luzzatto Company, Inc.; Maxwell A. Baldi; 3110 Main Street, Suite 200, Santa Monica, CA  
11 90405; 310.829.7181; intern at The Luzzatto Company, Inc.

12  
13 **2.0 General Background Information - Individual**

14 2.1 State:

- 15 (a) your name;
- 16 (b) every name you have used in the past; and
- 17 (c) the dates you used each name.

18 RESPONSE: Objection. The 2.0 series of interrogatories are meant to obtain information from an  
19 individual and not an entity. Responding Party is a California corporation. Responding Party has provided  
20 responses to the appropriate Form Interrogatories to obtain general background information regarding a  
21 business entity in its Responses to Form Interrogatories 3.1 through 3.7 below.

22  
23 2.2 State the date and place of your birth.

24 RESPONSE: Objection. The 2.0 series of interrogatories are meant to obtain information from an  
25 individual and not an entity. Responding Party is a California corporation. Responding Party has provided  
26 responses to the appropriate Form Interrogatories to obtain general background information regarding a  
27 business entity in its Responses to Form Interrogatories 3.1 through 3.7 below.

28

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- 1 2.3 At the time of the INCIDENT, did you have any other permit or license for the operation of a motor  
2 vehicle? If so, state:  
3 (a) the state or other issuing entity;  
4 (b) the license number and type;  
5 (c) the date of issuance; and  
6 (d) all restrictions.

7 RESPONSE: Objection. The 2.0 series of interrogatories are meant to obtain information from an  
8 individual and not an entity. Responding Party is a California corporation. Responding Party has provided  
9 responses to the appropriate Form Interrogatories to obtain general background information regarding a  
10 business entity in its Responses to Form Interrogatories 3.1 through 3.7 below.

- 11  
12 2.5 State:  
13 (a) your present residence ADDRESS;  
14 (b) your residence ADDRESSES for the past five years; and  
15 (c) the dates you lived at each ADDRESS.

16 RESPONSE: Objection. The 2.0 series of interrogatories are meant to obtain information from an  
17 individual and not an entity. Responding Party is a California corporation. Responding Party has provided  
18 responses to the appropriate Form Interrogatories to obtain general background information regarding a  
19 business entity in its Responses to Form Interrogatories 3.1 through 3.7 below.

- 20  
21 2.6 State:  
22 (a) the name, ADDRESS, and telephone number of your present employer or place of self-  
23 employment; and  
24 (b) the name, ADDRESS, dates of employment, job title, and nature of work for each employer  
25 or self-employment you have had from five years before the INCIDENT until today.

26 RESPONSE: Objection. The 2.0 series of interrogatories are meant to obtain information from  
27 an individual and not an entity. Responding Party is a California corporation. Responding Party has provided  
28

1 responses to the appropriate Form Interrogatories to obtain general background information regarding a  
2 business entity in its Responses to Form Interrogatories 3.1 through 3.7 below.

3  
4 2.7 State:

5 (a) the name and ADDRESS of each school or other academic or vocational institution you have  
6 attended, beginning with high school;

7 (b) the dates you attended;

8 (c) the highest grade level you have completed; and,

9 (d) the degrees received.

10 RESPONSE: Objection. The 2.0 series of interrogatories are meant to obtain information from an  
11 individual and not an entity. Responding Party is a California corporation. Responding Party has provided  
12 responses to the appropriate Form Interrogatories to obtain general background information regarding a  
13 business entity in its Responses to Form Interrogatories 3.1 through 3.7 below.

14 2.8 Have you ever been convicted of a felony?

15 RESPONSE: Objection. The 2.0 series of interrogatories are meant to obtain information from an  
16 individual and not an entity. Responding Party is a California corporation. Responding Party has provided  
17 responses to the appropriate Form Interrogatories to obtain general background information regarding a  
18 business entity in its Responses to Form Interrogatories 3.1 through 3.7 below.

19  
20 2.9 Can you speak English with ease?

21 RESPONSE: Objection. The 2.0 series of interrogatories are meant to obtain information from  
22 an individual and not an entity. Responding Party is a California corporation. Responding Party has provided  
23 responses to the appropriate Form Interrogatories to obtain general background information regarding a  
24 business entity in its Responses to Form Interrogatories 3.1 through 3.7 below.

25  
26 2.10 Can you read and write English with ease?

27 RESPONSE: Objection. The 2.0 series of interrogatories are meant to obtain information from an  
28 individual and not an entity. Responding Party is a California corporation. Responding Party has provided

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1 responses to the appropriate Form Interrogatories to obtain general background information regarding a  
2 business entity in its Responses to Form Interrogatories 3.1 through 3.7 below.

3  
4 2.11 At the time of the INCIDENT were you acting as an agent or employee for any PERSON?

5 RESPONSE: Objection. The 2.0 series of interrogatories are meant to obtain information from an  
6 individual and not an entity. Responding Party is a California corporation. Responding Party has provided  
7 responses to the appropriate Form Interrogatories to obtain general background information regarding a  
8 business entity in its Responses to Form Interrogatories 3.1 through 3.7 below.

9  
10 2.12 At the time of the INCIDENT did you or any other person have any physical, emotional, or mental  
11 disability or condition that may have contributed to the occurrence of the INCIDENT? If so, for each person  
12 state:

13 RESPONSE: Objection. The 2.0 series of interrogatories are meant to obtain information from an  
14 individual and not an entity. Responding Party is a California corporation. Responding Party has provided  
15 responses to the appropriate Form Interrogatories to obtain general background information regarding a  
16 business entity in its Responses to Form Interrogatories 3.1 through 3.7 below.

17  
18 2.13 Within 24 hours before the INCIDENT did you or any person involved in the INCIDENT use or take  
19 any of the following substances: alcoholic beverage, marijuana, or other drug or medication of any  
20 kind (prescription or not)?

21 RESPONSE: Objection. The 2.0 series of interrogatories are meant to obtain information from an  
22 individual and not an entity. Responding Party is a California corporation. Responding Party has provided  
23 responses to the appropriate Form Interrogatories to obtain general background information regarding a  
24 business entity in its Responses to Form Interrogatories 3.1 through 3.7 below.

25  
26 **3.0 General Background Information-Business Entity**

27 3.1 Are you a corporation?

28 RESPONSE: Yes.

If so, state:

1 (a) the name stated in the current articles of incorporation;

2 RESPONSE: Village Trailer Park, a California Corporation

3 (b) all other names used by the corporation during the past 10 years and the dates each was used;

4 RESPONSE: None.

5 (c) the date and place of incorporation;

6 RESPONSE: Articles of Incorporation filed with the California. Secretary of State on August 26,  
7 1950; Los Angeles County.

8 (d) the ADDRESS of the principal place of business; and

9 RESPONSE: 2930 Colorado Avenue, Santa Monica, CA 90404.

10 (e) whether you are qualified to do business in California.

11 RESPONSE: Yes.

12  
13 3.2 Are you a partnership?

14 RESPONSE: No.

15  
16 3.3 Are you a limited liability company?

17 RESPONSE: No.

18  
19 3.4 Are you a joint venture?

20 RESPONSE: No

21  
22 3.5 Are you an unincorporated association?

23 RESPONSE: No.

24  
25 3.6 Have you done business under a fictitious name during the past 10 years?

26 RESPONSE: Yes.

27 (a) the name;

28 RESPONSE: Village Trailer Park (together with Village Trailer Park LLC)

(b) The dates each was used;

1 RESPONSE: Responding Party and Village Trailer Park LLC have been doing business together  
2 under the fictitious name of Village Trailer Park since on or about February 10, 2006, to the present.

3 (c) the state and county of each fictitious name filing;

4 RESPONSE: California; Los Angeles County.

5 (d) the ADDRESS of the principal place of business.

6 RESPONSE: 2930 Colorado Avenue, Santa Monica, CA 90404.

7  
8 3.7 Within the past five years has any public entity registered or licensed your business?

9 RESPONSE: Yes, doing business under the fictitious name of Village Trailer Park.

10 (a) identify the license or registration;

11 RESPONSE: Business license tax certificate.

12 (b) state the name of the public entity; and

13 RESPONSE: City of Santa Monica.

14 (c) state the dates of issuance and expiration.

15 RESPONSE: Issuance dates not listed, expiration dates 6/30/08; 6/30/09; 6/30/10; 6/30/11; 6/30/12.

16  
17 **4.0 Insurance**

18 4.1 At the time of the INCIDENT, was there in effect any policy of insurance through which you were or  
19 might be insured in any manner (for example, primary, pro-rata, or excess liability coverage or medical  
20 expense coverage) for the damages, claims, or action that have arisen out of the INCIDENT?

21 RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
22 reference to the "INCIDENT" on the grounds that said Interrogatory is vague and ambiguous, for the reasons  
23 stated in the Introduction section above. Without waiving said objection, Responding Party responds to this  
24 Interrogatory as follows: Yes.

25  
26 1. American Reliable Insurance Company:

27 a. Primary coverage

28 b. American Reliable Insurance Company, 8655 E. Via De Ventura, Scottsdale, AZ 85258-3321

c. Village Trailer Park and Village Trailer Park, LLC c/o Dowdall Law Offices



- 1 d. KMP 0065201  
2 e. Any occurrence: \$1MM; fire damage: \$100K, medical: \$5K; personal injury: \$1MM; general  
3 aggregate: \$2MM; PRODUCTS-COMP/OP AGG: \$2MM  
4 f. Tendered and accepted with reservation of rights  
5 g. Marc Luzzatto, The Luzzatto Company, Inc., 3110 Main Street, Suite 200,  
6 Santa Monica, CA 90405; (310) 829-7181  
7

8 2. Colony Insurance Company:

- 9 a. Primary coverage  
10 b. Colony Insurance Company, 8720 Stony Point Parkway, Suite 300, Richmond, VA 23235  
11 c. Village Trailer Park and Village Trailer Park, LLC c/o Dowdall Law Offices  
12 d. MP 3699207  
13 e. Any occurrence: \$1MM; fire damage: \$100K, medical: \$5K; personal injury: \$1MM; general  
14 aggregate: \$2MM; PRODUCTS-COMP/OP AGG: \$2MM? (policy limits)  
15 f. Tendered but no determination has been made by carrier at the time of the preparation of  
16 Responding Party's responses.  
17 g. Marc Luzzatto, The Luzzatto Company, Inc., 3110 Main Street, Suite 200,  
18 Santa Monica, CA 90405; (310) 829-7181  
19

20 3. Chartis:

- 21 a. Excess coverage  
22 b. Chartis, 175 Water Street, New York, NY 10038  
23 c. Village Trailer Park and Village Trailer Park, LLC c/o Dowdall Law Offices  
24 d. EBU 065298631; EBU 032672974; EBU 020724680  
25 e. Any occurrence: \$5MM; aggregate: \$5MM; PRODUCTS-COMP/OP AGG: \$5MM; CrisisResponse  
26 sublimit: \$250K; excess casualty CrisisFund \$50K; Any occurrence: \$5MM; aggregate: \$5MM; Any  
27 occurrence: \$5MM; aggregate: \$5MM  
28 f. Tendered but no determination has been made by carrier at the time of preparation of Responding  
Party's responses.

1 g. Marc Luzzatto, The Luzzatto Company, Inc., 3110 Main Street, Suite 200,  
2 Santa Monica, CA 90405; (310) 829-7181

3  
4 Discovery is continuing. Responding Party reserves the right to amend this response in the future if  
5 necessary.

6  
7 4.2 Are you self-insured under any statute for the damages, claims, or actions that have arisen out of the  
8 INCIDENT?

9 RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
10 reference to the "INCIDENT" on the grounds that said Interrogatory is vague and ambiguous, for the reasons  
11 stated in the Introduction section above. Without waiving said objection, Responding Party responds to this  
12 Interrogatory as follows: No. Discovery is continuing. Responding Party reserves the right to amend this  
13 response in the future if necessary.

14  
15 **12.0 Investigation - General**

16 12.1 State the name, ADDRESS, and telephone number of each individual:

17 (a) who witnessed the INCIDENT or the events occurring immediately before or after the INCIDENT;

18 RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
19 reference to the "INCIDENT" on the grounds that said Interrogatory is vague and ambiguous, for the reasons  
20 stated in the Introduction section above. Without waiving said objection, Responding Party responds to this  
21 Interrogatory as follows: Yes, there are individuals who have witnessed some of the incidents alleged in  
22 Plaintiff's First Amended Complaint, including the following:

23 Steve Fellingner, Certified Asbestos Consultant (CAC #07-4283), Environmental One  
1739 ½ Del Valle Avenue  
24 Glendale, CA 91208  
818-334-5414

25 Jim Hantgin, Certified Site Technician (CSST #97-2243), Environmental One  
26 1739 ½ Del Valle Avenue  
Glendale, CA 91208  
27 818-334-5414

28 Mike Maladzhikyan, Laboratory Director, Western Analytical Laboratory, Inc.

1 12734 Branford Street, #19  
2 Arleta, CA 91331  
3 818-899-0949

4 Chuck Bauer – Enkay Engineering and Equipment, Inc.  
5 1639 Monrovia Avenue  
6 Costa Mesa, CA 92627  
7 (949) 548-5088

8 Bryan Hill – Environmental Testing Associates, Inc.  
9 850 Hampshire Road, Suite G  
10 Westlake Village, CA 91361  
11 805-497-7499

12 Ismael Esparza – Golden West Demolition, Inc.  
13 1024 E. 28th Street  
14 Los Angeles, CA 90011  
15 (323) 233-0722

16 Inspector Michael Haynes, South Coast Air Quality Management District  
17 21865 Copley Drive  
18 Diamond Bar, CA 91765  
19 (909) 396-2369

20 Dennis Shay, On-Site Manager - Village Trailer Park  
21 2930 Colorado Ave, Santa Monica, CA 90404,  
22 (310) 828-6339

23 Village Trailer Park Residents (Responding Party is attempting to identify which Residents)  
24 2930 Colorado Avenue, Santa Monica, CA 90404  
25 Said Residents Individual Homesites

26 Marc L. Luzzatto, The Luzzatto Company, Inc.  
27 3110 Main Street, Suite 200  
28 Santa Monica, CA 90405  
(310) 829-7181

Steven Elson, The Luzzatto Company, Inc.  
3110 Main Street, Suite 200  
Santa Monica, CA 90405  
(310) 829-7181

Jill Arteaga, J & H Asset Property Mgt, Inc.  
22880 Savi Ranch Parkway  
Yorba Linda, CA 92887  
(714) 974-0397

James Joffe, J & H Asset Property Mgt, Inc.  
22880 Savi Ranch Parkway  
Yorba Linda, CA 92887  
(714) 974-0397

Discovery is continuing. Responding Party reserves the right to amend this response in the future as additional facts are ascertained, analysis is made, and legal research is completed.

(b) who made any statement at the scene of the INCIDENT;

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1           RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
2 reference to the "INCIDENT" and the "scene of the INCIDENT" on the grounds that said Interrogatory is  
3 vague and ambiguous, for the reasons stated in the Introduction section above. Without waiving said  
4 objection, Responding Party responds to this Interrogatory as follows: Yes, there are individuals who have  
5 made statements at the scene(s) of some of the incidents alleged in Plaintiff's First Amended Complaint,  
6 including the following:

7           Steve Fellingner, Certified Asbestos Consultant (CAC #07-4283), Environmental One  
1739 ½ Del Valle Avenue  
8           Glendale, CA 91208  
818-334-5414

9           Jim Hantgin, Certified Site Technician (CSST #97-2243), Environmental One  
10           1739 ½ Del Valle Avenue  
11           Glendale, CA 91208  
818-334-5414

12           Mike Maladzhikyan, Laboratory Director, Western Analytical Laboratory, Inc.  
12734 Branford Street, #19  
13           Arleta, CA 91331  
818-899-0949

14           Chuck Bauer – Enkay Engineering and Equipment, Inc.  
15           1639 Monrovia Avenue  
Costa Mesa, CA 92627  
16           (949) 548-5088

17           Bryan Hill – Environmental Testing Associates, Inc.  
850 Hampshire Road, Suite G  
18           Westlake Village, CA 91361  
805-497-7499

19           Ismael Esparza – Golden West Demolition, Inc.  
20           1024 E. 28th Street  
Los Angeles, CA 90011  
21           (323) 233-0722

22           Inspector Michael Haynes, South Coast Air Quality Management District  
21865 Copley Drive  
23           Diamond Bar, CA 91765  
(909) 396-2369

24           Dennis Shay, On-Site Manager - Village Trailer Park  
25           2930 Colorado Ave, Santa Monica, CA 90404,  
(310) 828-6339

26           Marc L. Luzzatto, The Luzzatto Company, Inc.  
27           3110 Main Street, Suite 200  
Santa Monica, CA 90405  
28           (310) 829-7181

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1 Discovery is continuing. Responding Party reserves the right to amend this response in the future as  
2 additional facts are ascertained, analysis is made, and legal research is completed.

3 (c) who heard any statements made about the INCIDENT by any individual at the scene;

4 RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
5 reference to the "INCIDENT" and the phrase "at the scene" on the grounds that said Interrogatory is vague  
6 and ambiguous, for the reasons stated in the Introduction section above. Without waiving said objection,  
7 Responding Party responds to this Interrogatory as follows: Yes, there are individuals who have heard  
8 statements made about some of the incidents alleged in Plaintiff's First Amended Complaint, including the  
9 following:

10 Steve Fellingner, Certified Asbestos Consultant (CAC #07-4283), Environmental One  
11 1739 ½ Del Valle Avenue  
12 Glendale, CA 91208  
13 818-334-5414

14 Jim Hantgin, Certified Site Technician (CSST #97-2243), Environmental One  
15 1739 ½ Del Valle Avenue  
16 Glendale, CA 91208  
17 818-334-5414

18 Mike Maladzhikyan, Laboratory Director, Western Analytical Laboratory, Inc.  
19 12734 Branford Street, #19  
20 Arleta, CA 91331  
21 818-899-0949

22 Chuck Bauer – Enkay Engineering and Equipment, Inc.  
23 1639 Monrovia Avenue  
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3110 Main Street, Suite 200  
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10 Yorba Linda, CA 92887  
(714) 974-0397

11 Discovery is continuing. Responding Party reserves the right to amend this response in the future as  
12 additional facts are ascertained, analysis is made, and legal research is completed.

13 (d) who YOU OR ANYONE ACTING ON YOUR BEHALF claim has knowledge of the INCIDENT  
14 (except for expert witnesses covered by Code of Civil Procedure section 2034).

15 RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
16 reference to the "INCIDENT" on the grounds that said Interrogatory is vague and ambiguous, for the reasons  
17 stated in the Introduction section above. Without waiving said objection, Responding Party responds to this  
18 Interrogatory as follows: Yes, there are individuals who have knowledge of some of the incidents alleged in  
19 Plaintiff's First Amended Complaint, including the following:

20 Steve Fellingner, Certified Asbestos Consultant (CAC #07-4283), Environmental One  
1739 1/2 Del Valle Avenue  
21 Glendale, CA 91208  
818-334-5414

22 Jim Hantgin, Certified Site Technician (CSST #97-2243), Environmental One  
23 1739 1/2 Del Valle Avenue  
Glendale, CA 91208  
24 818-334-5414

25 Mike Maladzhikyan, Laboratory Director, Western Analytical Laboratory, Inc.  
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7 Diamond Bar, CA 91765  
(909) 396-2369

8 Dennis Shay, On-Site Manager - Village Trailer Park  
9 2930 Colorado Ave, Santa Monica, CA 90404,  
(310) 828-6339

10 Marc L. Luzzatto, The Luzzatto Company, Inc.  
11 3110 Main Street, Suite 200  
Santa Monica, CA 90405  
12 (310) 829-7181

13 Steven Elson, The Luzzatto Company, Inc.  
14 3110 Main Street, Suite 200  
Santa Monica, CA 90405  
(310) 829-7181

15 Jill Arteaga, J&H Asset Property Mgt, Inc.  
16 22880 Savi Ranch Parkway  
Yorba Linda, CA 92887  
(714) 974-0397

17 James Joffe, J & H Asset Property Mgt, Inc.  
18 22880 Savi Ranch Parkway  
19 Yorba Linda, CA 92887  
(714) 974-0397

20 Discovery is continuing. Responding Party reserves the right to amend this response in the future as  
21 additional facts are ascertained, analysis is made, and legal research is completed.

22  
23 12.2 Have YOU OR ANYONE ACTING ON YOUR BEHALF interviewed any individual concerning the  
24 INCIDENT? If so, for each individual state:

25 RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
26 reference to the "INCIDENT" on the grounds that said Interrogatory is vague and ambiguous, for the reasons  
27 stated in the Introduction section above. Without waiving said objection, Responding Party responds to this  
28

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284 N GLASSSELL STREET  
ORANGE CALIFORNIA 92666-1409  
TEL. 714.532.2222 FACSIMILE 714.532.3238

1 Interrogatory as follows: No. Discovery is continuing. Responding Party reserves the right to amend this  
2 response in the future as additional facts are ascertained, analysis is made, and legal research is completed.

3  
4 12.3 Have YOU OR ANYONE ACTING ON YOUR BEHALF obtained a written or recorded statement from  
5 any individual concerning the INCIDENT? If so, for each statement state.

6 RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
7 reference to the "INCIDENT" on the grounds that said Interrogatory is vague and ambiguous, for the reasons  
8 stated in the Introduction section above. Without waiving said objection, Responding Party responds to this  
9 Interrogatory as follows: No. Discovery is continuing. Responding Party reserves the right to amend this  
10 response in the future as additional facts are ascertained, analysis is made, and legal research is completed.

11  
12 12.4 Do YOU OR ANYONE ACTING ON YOUR BEHALF know of any photographs, films, or videotapes  
13 depicting any place, object, or individual concerning the INCIDENT or plaintiffs injuries?

14 RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
15 reference to the "INCIDENT" on the grounds that said Interrogatory is vague and ambiguous, for the reasons  
16 stated in the Introduction section above. Without waiving said objection, Responding Party responds to this  
17 Interrogatory as follows: No. Discovery is continuing. Responding Party reserves the right to amend this  
18 response in the future as additional facts are ascertained, analysis is made, and legal research is completed.

19  
20 12.5 Do YOU OR ANYONE ACTING ON YOUR BEHALF know of any diagram, reproduction, or model  
21 of any place or thing (except for items developed by expert witnesses covered in Code of Civil Procedure  
22 section 2034) concerning the INCIDENT?

23 RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
24 reference to the "INCIDENT" on the grounds that said Interrogatory is vague and ambiguous, for the reasons  
25 stated in the Introduction section above. Without waiving said objection, Responding Party responds to this  
26 Interrogatory as follows: No. Discovery is continuing. Responding Party reserves the right to amend this  
27 response in the future as additional facts are ascertained, analysis is made, and legal research is completed.

28  
12.6 Was a report made by any PERSON concerning the INCIDENT?



1 RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
2 reference to the "INCIDENT" on the grounds that said Interrogatory is vague and ambiguous, for the reasons  
3 stated in the Introduction section above. Without waiving said objection, Responding Party responds to this  
4 Interrogatory as follows: Yes, there are individuals who have made reports regarding some of the incidents  
5 alleged in Plaintiff's First Amended Complaint, including the following:

- 6 1. (a) Steve Fellingner – Environmental One  
7 General Engineering Contractor's License #916743 HAZ  
8 Registered Environmental Assessor #08119  
9 Certified Asbestos Consultant #07-4283

10 (b) "Demolition Asbestos Survey Report" dated September 17, 2011, and its "Summary Tables  
11 and Site Sketches," "Laboratory and Consultant Certification Documents," and "laboratory  
12 Test Results and Chain-of-Custody Record" (including the "Bulk Sample Request Forms" and  
13 "Bulk Sample Analysis Submission Sheets" prepared by Jim Hantgin of Environmental One  
14 on or about September 10, 2011 and the "Test Reports" prepared by Mike Maladzhikyan,  
15 Laboratory Director of Western Analytical Laboratory, Inc., on or about September 13, 2011).

16 (c) Prepared for:

17 Village Trailer Park, LLC  
18 2930 Colorado Avenue, Santa Monica, CA  
19 (310) 829-7181

20 (d) Persons who have original or copies of report(s):

21 Village Trailer Park, LLC  
22 2930 Colorado Avenue, Santa Monica, CA  
23 (310) 829-7181

24 Steve Fellingner, Certified Asbestos Consultant (CAC #07-4283), Environmental One  
25 1739 ½ Del Valle Avenue  
26 Glendale, CA 91208  
27 818-334-5414

- 28 2. (a) Bryan Hill, CAC, CMI Vice President – Environmental Testing Associates, Inc.  
850 Hampshire Road, Suite G  
Westlake Village, CA 91361  
805-497-7499

(b) "Chain of Custody" dated October 17, 2011

"Test Report: Fiber Count by Phase Contrast Microscopy" dated October 19, 2011

"Post Asbestos Abatement / Clearance Testing" dated October 20, 2011

"Chain of Custody" dated November 2, 2011

"Test Report: Lead in Paint Chips by Flame AAS" dated November 4, 2011

(c) Prepared for:

Village Trailer Park, LLC  
2930 Colorado Avenue, Santa Monica, CA

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(310) 829-7181

(d) Persons who have original or copies of report(s):

Village Trailer Park, LLC  
2930 Colorado Avenue, Santa Monica, CA  
(310) 829-7181

Bryan Hill - Environmental Testing Associates, Inc.  
850 Hampshire Road, Suite G  
Westlake Village, CA 91361  
805-497-7499

3. (a) Chuck Bauer, President – Enkay Engineering and Equipment, Inc.  
1639 Monrovia Avenue  
Costa Mesa, CA 92627  
(949) 548-5088

(b) “Non-Hazardous Waste Manifest” dated October 19, 2011

“Confirmation of Removal and Disposal of Asbestos Containing Material”  
dated October 20, 2011

(c) Prepared for:

Village Trailer Park, LLC  
2930 Colorado Avenue, Santa Monica, CA  
(310) 829-7181

(d) Persons who have original or copies of report(s):

Village Trailer Park, LLC  
2930 Colorado Avenue, Santa Monica, CA  
(310) 829-7181

Chuck Bauer – Enkay Engineering and Equipment, Inc.  
1639 Monrovia Avenue  
Costa Mesa, CA 92627  
(949) 548-5088

4. (a) Ismael Esparza, President– Golden West Demolition, Inc.  
1024 E. 28th Street  
Los Angeles, CA 90011  
(323) 233-0722

(b) “South Coast Air Quality Management District: Notification of Demolition or Asbestos  
Removal” dated October 21, 2011

“South Coast Air Quality Management District: Notification of Demolition or Asbestos  
Removal” dated November 14, 2011

(c) Prepared for:

Village Trailer Park, LLC  
2930 Colorado Avenue, Santa Monica, CA  
(310) 829-7181

1 Inspector Michael Haynes - South Coast Air Quality Management District  
2 21865 Copley Drive  
3 Diamond Bar, CA 91765  
4 (909) 396-2369

5 (d) Persons who have original or copies of report(s):

6 Village Trailer Park, LLC  
7 2930 Colorado Avenue, Santa Monica, CA  
8 (310) 829-7181

9 Inspector Michael Haynes - South Coast Air Quality Management District  
10 21865 Copley Drive  
11 Diamond Bar, CA 91765  
12 (909) 396-2369

13 Ismael Esparza – Golden West Demolition, Inc.  
14 1024 E. 28th Street  
15 Los Angeles, CA 90011  
16 (323) 233-0722

17 5. (a) Jim Hantgin, Certified Site Technician (CSST #97-2243), Environmental One  
18 1739 ½ Del Valle Avenue  
19 Glendale, CA 91208  
20 818-334-5414

21 (b) “Bulk Sample Request Forms” and “Bulk Sample Analysis Submission Sheets” for  
22 samples taken on September 10, 2011 (attached to the “Demolition Asbestos Survey Report”  
23 dated September 17, 2011, prepared by Steve Fellingner of Environmental One).

24 (c) Prepared for:

25 Village Trailer Park, LLC  
26 2930 Colorado Avenue, Santa Monica, CA  
27 (310) 829-7181

28 Steve Fellingner, Certified Asbestos Consultant (CAC #07-4283), Environmental One  
1739 ½ Del Valle Avenue  
Glendale, CA 91208  
818-334-5414

Mike Maladzhikyan, Laboratory Director, Western Analytical Laboratory, Inc.  
12734 Branford Street, #19  
Arleta, CA 91331  
818-899-0949

(d) Persons who have original or copies of report(s):

Village Trailer Park, LLC  
2930 Colorado Avenue, Santa Monica, CA  
(310) 829-7181

Jim Hantgin, Certified Site Technician (CSST #97-2243), Environmental One  
1739 ½ Del Valle Avenue  
Glendale, CA 91208  
818-334-5414

1 Steve Fellingner, Certified Asbestos Consultant (CAC #07-4283), Environmental One  
1739 1/2 Del Valle Avenue  
2 Glendale, CA 91208  
818-334-5414

3 Mike Maladzhikyan, Laboratory Director, Western Analytical Laboratory, Inc.  
4 12734 Branford Street, #19  
5 Arleta, CA 91331  
818-899-0949

- 6 6. (a) Mike Maladzhikyan, Laboratory Director, Western Analytical Laboratory, Inc.  
7 12734 Branford Street, #19  
8 Arleta, CA 91331  
818-899-0949  
818-334-5414

9 (b) "Test Reports" prepared by Mike Maladzhikyan, Laboratory Director of Western Analytical  
10 Laboratory, Inc., on or about September 13, 2011 (attached to the "Demolition Asbestos Survey  
Report" dated September 17, 2011, prepared by Steve Fellingner of Environmental One).

11 (c) Prepared for:

12 Village Trailer Park, LLC  
13 2930 Colorado Avenue, Santa Monica, CA  
(310) 829-7181

14 Steve Fellingner, Certified Asbestos Consultant (CAC #07-4283), Environmental One  
15 1739 1/2 Del Valle Avenue  
16 Glendale, CA 91208  
818-334-5414

17 Jim Hantgin, Certified Site Technician (CSST #97-2243), Environmental One  
18 1739 1/2 Del Valle Avenue  
Glendale, CA 91208  
818-334-5414

19 (d) Persons who have original or copies of report(s):

20 Village Trailer Park, LLC  
21 2930 Colorado Avenue, Santa Monica, CA  
(310) 829-7181

22 Jim Hantgin, Certified Site Technician (CSST #97-2243), Environmental One  
23 1739 1/2 Del Valle Avenue  
Glendale, CA 91208  
818-334-5414

24 Steve Fellingner, Certified Asbestos Consultant (CAC #07-4283), Environmental One  
25 1739 1/2 Del Valle Avenue  
26 Glendale, CA 91208  
818-334-5414

27 Mike Maladzhikyan, Laboratory Director, Western Analytical Laboratory, Inc.  
28 12734 Branford Street, #19  
Arleta, CA 91331  
818-899-0949

1 Discovery is continuing. Responding Party reserves the right to amend this response in the future as  
2 additional facts are ascertained, analysis is made, and legal research is completed.

3  
4 12.7 Have YOU OR ANY ONE ACTING ON YOUR BEHALF inspected the scene of the INCIDENT?

5 RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
6 reference to the "INCIDENT" and the "scene of the INCIDENT" on the grounds that said Interrogatory is  
7 vague and ambiguous, for the reasons stated in the Introduction section above. Without waiving said  
8 objection, Responding Party responds to this Interrogatory as follows: Yes, there are individuals who have  
9 inspected the scene(s) of some of the incidents alleged in Plaintiff's First Amended Complaint, including the  
10 following:

- 11 1. (a) Bryan Hill - Environmental Testing Associates, Inc.  
12 850 Hampshire Road, Suite G  
13 Westlake Village, CA 91361  
14 805-497-7499  
(b) On or about October 17, 2011, October 31, 2011, November 2, 2011, and on and off from  
15 November 16, 2011 to December 2, 2011 to monitor demolition)
- 16 2. (a) Steve Fellingner, Certified Asbestos Consultant (CAC #07-4283), Environmental One  
17 1739 1/2 Del Valle Avenue  
18 Glendale, CA 91208  
19 818-334-5414  
(b) Report dated September 17, 2011 based on samples taken by Jim Hantgin of  
20 Environmental One on or about September 10, 2011, and its "Summary Tables and Site  
21 Sketches," "Laboratory and Consultant Certification Documents," and "Laboratory Test  
22 Results and Chain-of-Custody Record"(including the "Bulk Sample Request Forms" and  
23 "Bulk Sample Analysis Submission Sheets" prepared by Jim Hantgin of Environmental One  
24 on or about September 10, 2011 and the "Test Reports" prepared by Mike Maladzhikyan,  
25 Laboratory Director of Western Analytical Laboratory, Inc., on or about September 13, 2011)
- 26 3. (a) Jim Hantgin, Certified Site Technician (CSST #97-2243), Environmental One  
27 1739 1/2 Del Valle Avenue  
28 Glendale, CA 91208  
818-334-5414  
(b) On or about September 10, 2011
4. Chuck Bauer - Enkay Engineering and Equipment, Inc.  
1639 Monrovia Avenue  
Costa Mesa, CA 92627  
(949) 548-5088  
(b) On or about October 19, 2011 and October 20, 2011
5. Ismael Esparza - Golden West Demolition, Inc.  
1024 E. 28th Street

1 Los Angeles, CA 90011  
2 (323) 233-0722

3 (b) On or about November 16, 2011 to December 2, 2011

- 4 6. Inspector Michael Haynes, South Coast Air Quality Management District  
5 21865 Copley Drive  
6 Diamond Bar, CA 91765  
7 (909) 396-2369

8 (b) Various visits, including a visit on or about October 20, 2011 and/or October 21, 2011

- 9 7. Dennis Shay, On-Site Manager - Village Trailer Park  
10 2930 Colorado Ave, Santa Monica, CA 90404,  
11 (310) 828-6339

12 (b) the scene(s) of some of the incidents alleged in Plaintiff's First Amended Complaint have  
13 been inspected on repeated occasions over said On-site Manager's period of employment with  
14 Village Trailer Park

- 15 8. Marc L. Luzzatto, The Luzzatto Company, Inc.  
16 3110 Main Street, Suite 200  
17 Santa Monica, CA 90405  
18 (310) 829-7181

19 (b) the scene(s) of some of the incidents alleged in Plaintiff's First Amended Complaint have  
20 been inspected on repeated occasions over said managing agent's period of management of  
21 Village Trailer Park

22 Discovery is continuing. Responding Party reserves the right to amend this response in the future if  
23 necessary.

24 **13.0 Investigation - Surveillance**

25 13.1 Have YOU OR ANYONE ACTING ON YOUR BEHALF conducted surveillance of any individual  
26 involved in the INCIDENT or any party to this action?

27 RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
28 reference to the "INCIDENT" on the grounds that said Interrogatory is vague and ambiguous, for the reasons  
29 stated in the Introduction section above. Without waiving said objection, Responding Party responds to this  
30 Interrogatory as follows: No. Discovery is continuing. Responding Party reserves the right to amend this  
31 response in the future as additional facts are ascertained, analysis is made, and legal research is completed.

32 **14.0 Statutory or Regulatory Violations**

33 14.1 Do YOU OR ANYONE ACTING ON YOUR BEHALF contend that any PERSON involved in the  
34 INCIDENT violated any statute, ordinance, or regulation and that the violation was a legal (proximate) cause

1 of the INCIDENT?

2 RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
3 reference to the "INCIDENT" on the grounds that said Interrogatory is vague and ambiguous, for the reasons  
4 stated in the Introduction section above. Without waiving said objection, Responding Party responds to this  
5 Interrogatory as follows: No. Discovery is continuing. Responding Party reserves the right to amend this  
6 response in the future as additional facts are ascertained, analysis is made, and legal research is completed.

7  
8 14.2 Was any PERSON cited or charged with a violation of any statute, ordinance, or regulation as a result  
9 of this INCIDENT?

10 RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
11 reference to the "INCIDENT" on the grounds that said Interrogatory is vague and ambiguous, for the reasons  
12 stated in the Introduction section above. Without waiving said objection, Responding Party responds to this  
13 Interrogatory as follows: No. Discovery is continuing. Responding Party reserves the right to amend this  
14 response in the future as additional facts are ascertained, analysis is made, and legal research is completed.

15  
16 **15.0 Denials and Special or Affirmative Defenses**

17 15.1 Identify each denial of a material allegation and each special or affirmative defense in your pleadings  
18 and for each:

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

25 RESPONSE: Objection. Responding Party objects to said Form Interrogatory on the grounds that the  
26 term "material allegation" seeks information which violates the protections of the attorney-client and work  
27 product privileges. Without waiving said objections, Responding Party alleged the following affirmative  
28 defenses:

First Affirmative Defense - Failure to Plead Facts Constituting a Cause of Action; Second Affirmative

1 Defense - Statute of Frauds; Third Affirmative Defense - Lack of Privity; Fourth Affirmative Defense -  
2 Waiver and Estoppel; and Fifth Affirmative Defense - Unclean Hands.

3 (a) Objection on the ground and for the reason that this interrogatory calls for legal reasoning, legal  
4 theory and legal opinion of Responding Party. Flora Crane Serv., Inc. v. Superior Court, (1965) 234 Cal.  
5 App.2d 767; Burke v. Superior Court (1969) 71 Cal.2d 276; Sav-On Drugs, Inc. v. Superior Court (1975) 12  
6 Cal.3d 1. Without waiving said objections, Responding party alleges as follows: Plaintiff has failed to allege  
7 sufficient facts to hold Responding Party liable to Plaintiff, as she has merely alleged multiple "incidents" of  
8 purported wrongdoing by "defendants" generally in her First Amended Complaint, without specificity as to  
9 which of the 10 named defendants engaged in alleged actions. Moreover, Responding Party contends that any  
10 actions its undertook were lawful, proper, and privileged under the law. Responding Party further contends  
11 that there is no landlord/tenant relationship or other special relationship between Plaintiff and Responding  
12 Party and/or Village Trailer Park which would support any of the causes of action alleged by Plaintiff against  
13 Responding Party. There further is no landlord/tenant relationship or other special relationship between  
14 Plaintiff and Village Trailer Park, as Plaintiff is not an approved resident of Village Trailer Park. Moreover,  
15 there is no written rental agreement between Plaintiff and Village Trailer Park, as required by Civil Code  
16 §§798.15 and 798.75 (nor is there any verbal rental agreement between Plaintiff and Village Trailer Park.)  
17 Thus, no privity of contract exists between Plaintiff and Village Trailer Park. Plaintiff began occupying Space  
18 C-9 in Village Trailer Park without seeking the requisite park approval and without entering into a rental  
19 agreement with Plaintiff, as required by applicable park procedures and California law, specifically, Civil  
20 Code §798.74 and §798.75. Plaintiff has further failed to properly plead sufficient facts to establish that she  
21 has suffered recoverable injuries or damages - Plaintiff merely alleges in her First Amended Complaint that  
22 she "is unaware of the nature or amount of the injuries she suffered, is suffering now, and will suffer in the  
23 future . . ." and that the harm she claims to have experienced arises from having to wait a lengthy gestation  
24 period to determine whether any actual illness will develop. Responding Party has good reason to believe that  
25 Plaintiff has not sustained any purported injuries, as she has not even resided in Village Trailer Park for a  
26 substantial portion of the time period referenced in the First Amended Complaint.

27 (b) Plaintiff and Responding Party, and the following additional persons:

28 Steve Fellingner, Certified Asbestos Consultant (CAC #07-4283), Environmental One  
1739 ½ Del Valle Avenue  
Glendale, CA 91208



1 818-334-5414

2 Jim Hantgin, Certified Site Technician (CSST #97-2243), Environmental One  
3 1739 ½ Del Valle Avenue  
4 Glendale, CA 91208  
5 818-334-5414

6 Mike Maladzhikyan, Laboratory Director, Western Analytical Laboratory, Inc.  
7 12734 Branford Street, #19  
8 Arleta, CA 91331  
9 818-899-0949

10 Chuck Bauer – Enkay Engineering and Equipment, Inc.  
11 1639 Monrovia Avenue  
12 Costa Mesa, CA 92627  
13 (949) 548-5088

14 Bryan Hill – Environmental Testing Associates, Inc.  
15 850 Hampshire Road, Suite G  
16 Westlake Village, CA 91361  
17 805-497-7499

18 Ismael Esparza – Golden West Demolition, Inc.  
19 1024 E. 28th Street  
20 Los Angeles, CA 90011  
21 (323) 233-0722

22 Inspector Michael Haynes, South Coast Air Quality Management District  
23 21865 Copley Drive  
24 Diamond Bar, CA 91765  
25 (909) 396-2369

26 Dennis Shay, On-Site Manager - Village Trailer Park  
27 2930 Colorado Ave, Santa Monica, CA 90404,  
28 (310) 828-6339

Village Trailer Park Residents (Responding Party is attempting to identify which Residents)  
2930 Colorado Avenue, Santa Monica, CA 90404  
Said Residents Individual Homesites

30 Marc L. Luzzatto, The Luzzatto Company, Inc.  
31 3110 Main Street, Suite 200  
32 Santa Monica, CA 90405  
33 (310) 829-7181

34 Steven Elson, The Luzzatto Company, Inc.  
35 3110 Main Street, Suite 200  
36 Santa Monica, CA 90405  
37 (310) 829-7181

38 Jill Arteaga, J&H Asset Property Mgt, Inc.  
22880 Savi Ranch Parkway  
Yorba Linda, CA 92887  
(714) 974-0397

James Joffe, J & H Asset Property Mgt, Inc.  
22880 Savi Ranch Parkway

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284 N. GLASSSELL STREET  
ORANGE, CALIFORNIA 92666-1409  
TEL. 714.532.2222 FACSIMILE 714.532.3238

1 Yorba Linda, CA 92887  
2 (714) 974-0397

3 (c) "Demolition Asbestos Survey Report" dated September 17, 2011, and its "Summary Tables  
4 and Site Sketches," "Laboratory and Consultant Certification Documents," and "Laboratory  
5 Test Results and Chain-of-Custody Record"(including the "Bulk Sample Request Forms" and  
6 "Bulk Sample Analysis Submission Sheets" prepared by Jim Hantgin of Environmental One  
7 on or about September 10, 2011, and the "Test Reports" prepared by Mike Maladzhikyan,  
8 Laboratory Director of Western Analytical Laboratory, Inc., on or about September 13, 2011)  
9 prepared by Steve Fellingner – Environmental One, for Village Trailer Park, LLC, 2930  
10 Colorado Avenue, Santa Monica, CA (310) 829-7181, who is in possession of said report and  
11 its attachments.

12 "Chain of Custody" dated October 17, 2011; "Test Report: Fiber Count by Phase Contrast  
13 Microscopy" dated October 19, 2011; "Post Asbestos Abatement / Clearance Testing" dated  
14 October 20, 2011; "Chain of Custody" dated November 2, 2011; "Test Report: Lead in Paint  
15 Chips by Flame AAS" dated November 4, 2011, prepared by Bryan Hill, CAC, CMI Vice  
16 President – Environmental Testing Associates, Inc. for Village Trailer Park, LLC, 2930  
17 Colorado Avenue, Santa Monica, CA(310) 829-7181, who is in possession of said documents.

18 "Non-Hazardous Waste Manifest" dated October 19, 2011; "Confirmation of Removal and  
19 Disposal of Asbestos Containing Material" dated October 20, 2011, prepared by Chuck Bauer,  
20 President – Enkay Engineering and Equipment, Inc., for Village Trailer Park, LLC, 2930  
21 Colorado Avenue, Santa Monica, CA (310) 829-7181, who is in possession of said documents.

22 "South Coast Air Quality Management District: Notification of Demolition or Asbestos  
23 Removal" dated October 21, 2011; and "South Coast Air Quality Management District:  
24 Notification of Demolition or Asbestos Removal" dated November 14, 2011, prepared by  
25 Ismael Esparza, President–Golden West Demolition, Inc., for Village Trailer Park, LLC, 2930  
26 Colorado Avenue, Santa Monica, CA (310) 829-7181, who is in possession of said documents.

27 Tenancy file for Space C-9 at Village Trailer Park, 2930 Colorado Avenue, Santa Monica,  
28 CA(310) 829-7181, who is in possession of said documents.

Discovery is continuing. Responding Party reserves the right to amend this response in the future as  
additional facts are ascertained, analysis is made, and legal research is completed.

**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?

RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
reference to the "INCIDENT" on the grounds that said Interrogatory is vague and ambiguous, for the reasons  
stated in the Introduction section above. Responding Party further objects to said Form Interrogatory on the  
grounds that the Interrogatory assumes that Plaintiff has claimed to have sustained personal injuries in her  
First Amended Complaint, while Plaintiff has alleged in her First Amended Complaint that she "is unaware  
of the nature or amount of the injuries she suffered, is suffering now, and will suffer in the future . . ." and that

1 the harm she claims to have experienced arises from having to wait a lengthy gestation period to determine  
2 whether any actual illness will develop. Without waiving said objection, Responding Party responds to this  
3 Interrogatory as follows: Unknown at this time, as Plaintiff has yet to respond to any discovery and has not  
4 provided any proof that she has sustained any alleged injuries or damages. Discovery is continuing.  
5 Responding Party reserves the right to amend this response in the future as additional facts are ascertained,  
6 analysis is made, and legal research is completed.

7  
8 16.2 Do you contend that plaintiff was not injured in the INCIDENT?

9 RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
10 reference to the "INCIDENT" on the grounds that said Interrogatory is vague and ambiguous, for the reasons  
11 stated in the Introduction section above. Responding Party further objects to said Form Interrogatory on the  
12 grounds that the Interrogatory assumes that Plaintiff has claimed to have sustained personal injuries in her  
13 First Amended Complaint, while Plaintiff has alleged in her First Amended Complaint that she "is unaware  
14 of the nature or amount of the injuries she suffered, is suffering now, and will suffer in the future . . ." and that  
15 the harm she claims to have experienced arises from having to wait a lengthy gestation period to determine  
16 whether any actual illness will develop. Without waiving said objection, Responding Party responds to this  
17 Interrogatory as follows: Unknown at this time, as Plaintiff has yet to respond to any discovery and has not  
18 provided any proof that she has sustained any alleged injuries or damages. Discovery is continuing.  
19 Responding Party reserves the right to amend this response in the future as additional facts are ascertained,  
20 analysis is made, and legal research is completed.

21  
22 16.3 Do you contend that the injuries or the extent of the injuries claimed by plaintiff as disclosed in  
23 discovery proceedings thus far in this case were not caused by the INCIDENT?

24 RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
25 reference to the "INCIDENT" on the grounds that said Interrogatory is vague and ambiguous, for the reasons  
26 stated in the Introduction section above. Responding Party further objects to said Form Interrogatory on the  
27 grounds that the Interrogatory assumes that Plaintiff has claimed to have sustained personal injuries in her  
28 First Amended Complaint, while Plaintiff has alleged in her First Amended Complaint that she "is unaware  
of the nature or amount of the injuries she suffered, is suffering now, and will suffer in the future . . ." and that

1 the harm she claims to have experienced arises from having to wait a lengthy gestation period to determine  
2 whether any actual illness will develop. Without waiving said objection, Responding Party responds to this  
3 Interrogatory as follows: Unknown at this time, as Plaintiff has yet to respond to any discovery and has not  
4 provided any proof that she has sustained any alleged injuries or damages. Discovery is continuing.  
5 Responding Party reserves the right to amend this response in the future as additional facts are ascertained,  
6 analysis is made, and legal research is completed.

7  
8 16.7 Do you contend that any of the property damage claimed by plaintiff in discovery proceedings thus far  
9 in this case was not caused by the INCIDENT?

10 RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
11 reference to the "INCIDENT" on the grounds that said Interrogatory is vague and ambiguous, for the reasons  
12 stated in the Introduction section above. Responding Party further objects to said Form Interrogatory on the  
13 grounds that the Interrogatory assumes that Plaintiff has claimed to have sustained personal injuries in her  
14 First Amended Complaint, while Plaintiff has alleged in her First Amended Complaint that she "is unaware  
15 of the nature or amount of the injuries she suffered, is suffering now, and will suffer in the future . . ." and that  
16 the harm she claims to have experienced arises from having to wait a lengthy gestation period to determine  
17 whether any actual illness will develop. Without waiving said objection, Responding Party responds to this  
18 Interrogatory as follows: Unknown at this time, as Plaintiff has yet to respond to any discovery and has not  
19 provided any proof that she has sustained any alleged property damage. Discovery is continuing. Responding  
20 Party reserves the right to amend this response in the future as additional facts are ascertained, analysis is  
21 made, and legal research is completed.

22  
23 16.9 Do YOU OR ANYONE ACTING ON YOUR BEHALF have any DOCUMENT (for example, insurance  
24 bureau index reports) concerning claims for personal injuries made before or after the INCIDENT by a  
25 plaintiff in this case? If so, for each plaintiff state:

26 RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
27 reference to the "INCIDENT" on the grounds that said Interrogatory is vague and ambiguous, for the reasons  
28 stated in the Introduction section above. Without waiving said objection, Responding Party responds to this  
Interrogatory as follows: No. Discovery is continuing. Responding Party reserves the right to amend this

1 response in the future as additional facts are ascertained, analysis is made, and legal research is completed.

2  
3 16.10 Do YOU OR ANYONE ACTING ON YOUR BEHALF have any DOCUMENT concerning the past  
4 or present physical, mental, or emotional condition of any plaintiff in this case from a HEALTH CARE  
5 PROVIDER not previously identified (except for expert witnesses covered by Code of Civil Procedure  
6 sections 2034.210-2034.310)?

7 RESPONSE: Objection. Responding Party objects to said Form Interrogatory with respect to its  
8 reference to the "INCIDENT" on the grounds that said Interrogatory is vague and ambiguous, for the reasons  
9 stated in the Introduction section above. Without waiving said objection, Responding Party responds to this  
10 Interrogatory as follows: No. Discovery is continuing. Responding Party reserves the right to amend this  
11 response in the future as additional facts are ascertained, analysis is made, and legal research is completed.

12  
13 **50.0 Contract**

14 50.1 For each agreement alleged in the pleadings:

15 RESPONSE: Objection. Responding Party objects to said Form Interrogatory on the grounds that the  
16 Interrogatory assumes that Plaintiff has alleged that an agreement exists between Plaintiff and Responding  
17 Party, which is not the case, and Responding Party is not aware of the existence of any agreement entered into  
18 between Plaintiff and Responding Party.

19 Discovery is continuing. Responding Party reserves the right to amend this response in the future as  
20 additional facts are ascertained, analysis is made, and legal research is completed.

21  
22 50.2 Was there a breach of any agreement alleged in the pleadings? If so, for each breach describe and give  
23 the date of every act or omission that you claim is the breach of the agreement.

24 RESPONSE: Objection. Responding Party objects to said Form Interrogatory on the grounds that the  
25 Interrogatory assumes that Plaintiff has alleged that an agreement exists between Plaintiff and Responding  
26 Party and that said agreement was breached, which is not the case, and Responding Party is not aware of the  
27 existence of any agreement entered into between Plaintiff and Responding Party.

28 Discovery is continuing. Responding Party reserves the right to amend this response in the future as  
additional facts are ascertained, analysis is made, and legal research is completed.

1 50.3 Was performance of any agreement alleged in the pleadings excused? If so, identify each agreement  
2 excused and state why performance was excused.

3 RESPONSE: Objection. Responding Party objects to said Form Interrogatory on the grounds that the  
4 Interrogatory assumes that Plaintiff has alleged that an agreement exists between Plaintiff and Responding  
5 Party, which is not the case, and Responding Party is not aware of the existence of any agreement entered into  
6 between Plaintiff and Responding Party.

7 Discovery is continuing. Responding Party reserves the right to amend this response in the future as  
8 additional facts are ascertained, analysis is made, and legal research is completed.

9  
10 50.4 Was any agreement alleged in the pleadings terminated by mutual agreement, release, accord and  
11 satisfaction, or novation? If so, identify each agreement terminated, the date of termination, and the basis of  
12 the termination.

13 RESPONSE: Objection. Responding Party objects to said Form Interrogatory on the grounds that the  
14 Interrogatory assumes that Plaintiff has alleged that an agreement exists between Plaintiff and Responding  
15 Party, which is not the case, and Responding Party is not aware of the existence of any agreement entered into  
16 between Plaintiff and Responding Party.

17 Discovery is continuing. Responding Party reserves the right to amend this response in the future as  
18 additional facts are ascertained, analysis is made, and legal research is completed.

19  
20 50.5 Is any agreement alleged in the pleadings unenforceable? If so, identify each unenforceable agreement  
21 and state why it is unenforceable.

22 RESPONSE: Objection. Responding Party objects to said Form Interrogatory on the grounds that the  
23 Interrogatory assumes that Plaintiff has alleged that an agreement exists between Plaintiff and Responding  
24 Party, which is not the case, and Responding Party is not aware of the existence of any agreement entered into  
25 between Plaintiff and Responding Party.

26 Discovery is continuing. Responding Party reserves the right to amend this response in the future as  
27 additional facts are ascertained, analysis is made, and legal research is completed.

28  
50.6 Is any agreement alleged in the pleadings ambiguous? If so, identify each ambiguous agreement and state

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ORANGE, CALIFORNIA 92666-1409  
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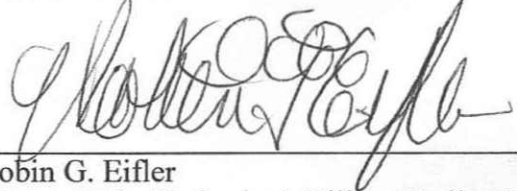
why it is ambiguous.

RESPONSE: Objection. Responding Party objects to said Form Interrogatory on the grounds that the Interrogatory assumes that Plaintiff has alleged that an agreement exists between Plaintiff and Responding Party, which is not the case, and Responding Party is not aware of the existence of any agreement entered into between Plaintiff and Responding Party.

Discovery is continuing. Responding Party reserves the right to amend this response in the future as additional facts are ascertained, analysis is made, and legal research is completed.

Dated: August 9, 2012

DOWDALL LAW OFFICES, A.P.C.

By:   
Robin G. Eifler  
Attorneys for Defendant, Village Trailer Park,  
a California Corporation

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I have read the foregoing Response to form interrogatories-set one and know its contents.

CHECK APPLICABLE PARAGRAPHS

I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am  an Officer  a partner  a \_\_\_\_\_ of Village Trailer Park Inc.

a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason.  I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.  The matters stated in the foregoing document are true of my own knowledge, except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am one of the attorneys for \_\_\_\_\_ a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on August 9, 2012, at Santa Monica, California.

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

Marc L. Luzzatto  
Type or Print Name

  
Signature

PROOF OF SERVICE  
1013a (3) CCP Revised 5/1/88

STATE OF CALIFORNIA, COUNTY OF \_\_\_\_\_

I am employed in the county of \_\_\_\_\_, State of California.

I am over the age of 18 and not a party to the within action; my business address is: \_\_\_\_\_

On, \_\_\_\_\_ I served the foregoing document described as \_\_\_\_\_

\_\_\_\_\_ on \_\_\_\_\_ in this action

by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list:

by placing  the original  a true copy thereof enclosed in sealed envelopes addressed as follows:

BY MAIL

\*I deposited such envelope in the mail at \_\_\_\_\_, California.

The envelope was mailed with postage thereon fully prepaid.

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing.

Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at \_\_\_\_\_ California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on \_\_\_\_\_, at \_\_\_\_\_, California.

\*\*(BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

Executed on \_\_\_\_\_, at \_\_\_\_\_, California.

(State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Signature

\*(BY MAIL SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX, OR BAG)  
\*\*(FOR PERSONAL SERVICE SIGNATURE MUST BE THAT OF MESSENGER)

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