

IN THE CIRCUIT COURT OF COUNTY, MISSISSIPPI

, INDIVIDUALLY AND FOR
AND , PLAINTIFFS

VS. NO.

AND , DEFENDANTS

**RESPONSES AND OBJECTIONS OF DEFENDANTS TO
PLAINTIFFS' FIRST SET OF INTERROGATORIES**

Defendants respond and object to the first set of interrogatories propounded by Plaintiffs as follows:

OBJECTION TO "DEFINITIONS AND INSTRUCTIONS"

Defendants object to that portion of Plaintiffs' interrogatories "Definitions and Instructions" to the extent that it purports to seek information or place upon Defendants any burdens or requirements beyond the scope of the applicable Mississippi Rules of Civil Procedure.

RESPONSES AND OBJECTIONS
TO SPECIFIC INTERROGATORIES

INTERROGATORY NO.1: Identify by name, address and present whereabouts, each person whom you will call or may call as an expert witness at the trial of this case and state after each person:

- A. His or her qualifications and curricula vitae;
- B. The subject matter on which the expert is expected to testify;
- C. The substance of the facts and opinions to which the expert is expected to testify;
- D. A summary of the grounds for each opinion; and
- E. Identify all documents upon which each expert has relied in reaching his or her opinion in this case and or on which each opinion is based.

RESPONSE:

INTERROGATORY NO.4: Set forth in narrative form the basis for your affirmative defense that Plaintiffs' claims with respect to percentage of stock ownership and ownership of the real property at issue are barred by the statute of limitations.

INTERROGATORY NO.5: Set forth in narrative form the basis for your contention that

Plaintiffs' claims with in whole or in part are barred by the statute of limitations.

INTERROGATORY NO.6: Set forth in narrative form the basis for your contention that the allegations and Complaint are barred by the doctrine of laches.

RESPONSE:

INTERROGATORY NO.7: Set forth. in narrative form the basis for your contention that Plaintiffs have no standing in their individual capacity to seek alleged damages described in the Complaint set forth in narrative form the basis for your affirmative defense that the allegations contained in the Complaint are barred by the doctrine of laches.

RESPONSE:

INTERROGATORY NO.8: Set forth in narrative form the basis for your affirmative defense that the Complaint is barred by the doctrine of estoppel.

RESPONSE:

INTERROGATORY NO.9: Set forth all bonuses paid to the employees of _____ since _____ and set forth the basis for each bonus.

RESPONSE:

INTERROGATORY NO.10: Set for each and every person who expressed interest in purchasing the stock of Mr./Ms. _____ from _____ to present.

RESPONSE:

INTERROGATORY NO.11: Set forth in narrative form all discussions, agreements, understandings and/or contracts which you have had with person or entity with regard to their acquiring all or part of your ownership interest in _____, whether through the acquisition of stock or assets.

RESPONSE:

INTERROGATORY NO.12: Set forth in specific narrative detail any increased workload which you have been required to assume or undertake as a result of the termination of _____'s employment in _____, and identify any and all documents which verify or tend to verify your alleged increased work load.

RESPONSE:

In addition to his normal duties and responsibilities as President of _____, Mr./Ms. _____ also became responsible for the following:

- i. Seeking replacement parts for equipment and seeing to the proper maintenance and repair of equipment;
- ii. Working with, training and otherwise assisting the Company's new mechanics as to the parts vendors the Company normally dealt with and the overall operation of the shop;
- iii. It was necessary for Mr./Ms. to spend more time on the Company's various jobs sites and in coordination activities with the various job superintendents;
- iv. Provide general oversight and coordination of the Company's maintenance operations; and
- v. Various similar tasks and undertakings.

RESPONSE:

INTERROGATORY NO.13: Set forth in narrative form the basis or justification for the bonuses which Mr./Ms. received for the period from , to

RESPONSE:

INTERROGATORY NO.14: Set forth in narrative form the basis or justification for the bonuses which Mr./Ms. received for the period from , to .

RESPONSE:

INTERROGATORY NO.15: Set forth in narrative form the basis or justification for the bonuses which Mr./Ms. received for the period from , to .

RESPONSE:

INTERROGATORY NO.16: Set forth in specific detail why was paid no bonus, dividend or other compensation related to the profits of the company for the period from to .

RESPONSE:

INTERROGATORY NO.17: Set forth in specific detail why received no distribution of profits or earnings from the Company for the period to .

RESPONSE:

INTERROGATORY NO.18: Set forth the distribution of profits and earnings which you anticipate would be paid for the period from to .

RESPONSE:

INTERROGATORY NO.19: Set forth all businesses, partnerships, joint ventures, corporations, LLC's, or other entities in which you have been an owner, stockholder, participant, or from which you have received any economic benefit for the period of _____ to present. As to each, set forth the names of the other parties involved, the period and time which you were an owner, the nature of the business in which you were involved, and the location where the enterprise conducted business.

RESPONSE:

INTERROGATORY NO.16: Set forth in specific detail why _____ was paid no bonus, dividend or other compensation related to the profits of the company for the period from _____ to _____.

RESPONSE:

INTERROGATORY NO.17: Set forth in specific detail why _____ received no distribution of profits or earnings from the Company for the period _____ to _____.

RESPONSE:

INTERROGATORY NO.18: Set forth the distribution of profits and earnings which you anticipate _____ will be paid for the period from _____ to _____.

RESPONSE:

INTERROGATORY NO.19: Set forth all businesses, partnerships, joint ventures, corporations, LLC's, or other entities in which you have been an owner, stockholder, participant, or from which you have received any economic benefit for the period of _____ to present. As to each, set forth the names of the other parties involved, the period and time which you were an owner, the nature of the business in which you were involved, and the location where the enterprise conducted business.

RESPONSE:

INTERROGATORY NO.20: Set forth in narrative form any and all matters which would prohibit or adversely affect _____ or its operations if its shareholders elected Sub-Chapter S status.

RESPONSE:

INTERROGATORY NO.21: Set forth all jobs performed by _____ from _____ to _____ present. Specifically setting forth the bid date, start time, completion date, contract amount and net profit therefrom.

RESPONSE:

INTERROGATORY NO.22: Set forth your contention as to the value of _____ at the time _____ purchased his/her stock in the company and the basis for such calculation.

RESPONSE:

INTERROGATORY NO.23: Identify all persons who furnished information to you in answering these interrogatories, specifying for each persons the interrogatory for which he or she furnished information.

RESPONSE:

INTERROGATORY NO.24: Set forth in narrative form any agreement you and _____ had regarding the payment of bonuses from _____ to present.

RESPONSE:

INTERROGATORY NO.25: Set forth in narrative form the basis on which all job superintendents are paid a bonus and the date when such bonus policy went into affect.

RESPONSE:

Respectfully submitted,

Attorney for

Of Counsel:

Telephone:
MSB #
Attorney for

CERTIFICATE OF SERVICE

I, _____ do hereby certify that I have this day mailed by United States first class mail, postage pre-paid, hand, facsimile a true and correct copy of the above and foregoing document to the Plaintiff's/Defendant's counsel of record:

Dated this _____ day of _____, 20____.
