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|----|---|-------------------------------------|-----------------------|--|
| 2 | [attorney name redacted], Esq. (CSBN ////////// | /# \ | | |
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| 6 | Attorneys for Defendants the DIXON FURNITURE, INC, | | | |
| 7 | NANCY DIXON, and MATT DIXON Note: all names have been changed. | | | |
| 8 | SUPERIOR COURT OF CALIFORNIA | | | |
| 9 | COUNTY OF LOS ANGELES | | | |
| 10 | TOM BROWN, | Case Number: | [redacted] | |
| 11 | Plaintiff, | DEMAND FOR PI | | |
| 12 | DOCUMENTS vs. | | | |
| 13 | DIXON FURNITURE, INC.; | Asking Party: | DIXON FURNITURE, INC. | |
| 14 | NANCY DIXON; MATT DIXON; and | Answering Party: Set No. | TOM BROWN ONE | |
| 15 | DOES 1 through 100, Inclusive | | [redacted] | |
| 16 | Defendants | Complaint filed: Assigned to: Dept: | [redacted] [redacted] | |
| 17 | | | | |
| 18 | | Discovery cut-off: Trial date: | none set | |
| 19 | TO BY A DITHER TON BROWN AND I | HG ATTODNEY 6 | NE DECORD IN THE | |
| 20 | TO PLAINTIFF TOM BROWN AND H | IIS ATTORNEY C | OF RECORD IN THE | |
| 21 | ABOVE-CAPTIONED MATTER: | | | |
| 22 | Defendant DIXON FURNITURE, INC. (hereinafter "PROPOUNDING PARTY") | | | |
| 23 | hereby demands, pursuant to Code of Civil Procedure section 2031.010, et seq., that Plaintiff | | | |
| 24 | TOM BROWN (hereinafter "RESPONDING PARTY") serve on PROPOUNDING PARTY a | | | |
| 25 | written response subscribed under oath within thirty days of service hereof, which shall | | | |
| 26 | | | | |
| 27 | 1 DEMAND FOR PRODUCTION OF DOCUMENTS | | | |
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include all the information requested. The documents, writings, and/or things demanded shall also be made available for inspection and copying at the following date, time and place:

> Date: Time: Place: [redacted]

> > [redacted]

[redacted], California

The original of each document (or a complete and legible copy if RESPONDING PARTY does not have the original within his possession, custody, or control) shall be produced at the above-stated date, time and place, unless complete and legible copies of all such documents are received at the Law Offices of [redacted] as provided herein below. Any such production of copies is without prejudice to the right of the PROPOUNDING PARTY to inspect and copy the original of each document at a future date.

This demand for production of documents is being propounded on the grounds that each item requested is relevant to the subject matter of this action or is reasonably calculated to lead to the discovery of admissible evidence. Each item requested is believed to be in the custody, possession, or control of the RESPONDING PARTY and/or his attorneys, agents, representatives and/or custodians of documents of RESPONDING PARTY, and is not privileged. This demand may be complied with by mail if the RESPONDING PARTY submits copies of the documents requested to PROPOUNDING PARTY'S attorney of record on or before the date listed above for inspection and/or copying, accompanying by a declaration, signed under penalty of perjury, stating that the documents are true and exact copies and may be used in place of the originals.

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Failure to comply with this Demand for Production of Documents will result in a formally noticed motion to compel discovery, and all costs incurred in bringing such motion will be sought.

DEFINITIONS

"COMPLAINT" as used herein shall mean the Complaint, filed on [redacted] in the above-entitled action.

"YOU" and "YOUR" as used herein shall mean Plaintiff TOM BROWN.

"CORPORATION" as used herein shall mean Defendant DIXON FURNITURE, INC.

"DIXONS" as used herein shall mean Defendants NANCY DIXON and MATT DIXON, both individually and jointly.

"NAMED DEFENDANTS" as used herein shall mean CORPORATION and the DIXONS.

"WC CLAIM" as used herein shall mean any Worker's Compensation claim filed by YOU with any government agency at any time within the past 15 years.

"MEDICAL LEAVE" as used herein shall mean "Family care and medical leave" as defined at Government Code § 12945.2(c)(3)(C).

"ABUSE" as used herein shall mean any act of harassment, retaliation, discrimination, physical disability discrimination, perceived physical disability discrimination, intimidation, ostracization, name-calling, slander, insult, humiliation, revenge, and/or other abuse against YOU by any of the NAMED DEFENDANTS, or by any of their agents or employees, or by any combination of such persons, that YOU have alleged in the COMPLAINT or that YOU intend to allege in this action at any hearing or at trial.

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"INTERNAL GRIEVANCE" as used herein shall mean any complaint made by YOU to the NAMED DEFENDANTS or to any of their agents or employees concerning any aspect of YOUR employment at CORPORATION.

"PROPERTY" as used herein shall mean the real property in Gardena, California on which CORPORATION operates its business and YOU were required to work when YOU were employed by CORPORATION.

"TERMINATION LETTER" as used herein shall mean Exhibit 1 attached hereto, which sets forth a letter dated November 21, 2006 from CORPORATION to YOU stating that YOU are terminated.

"DHS" as used herein shall mean the County of Los Angeles Department of Health Services.

"DHS LETTER" as used herein shall mean Exhibit 2 attached hereto, which sets forth a letter dated November 21, 2006 from DHS to the owner of the PROPERTY.

"DHS REPORT" as used herein shall mean any report that YOU made to DHS concerning alleged violations of the Los Angeles County Code on the PROPERTY.

"INJURY" as used herein shall mean any of the "injuries" YOU allege in COMPLAINT ¶¶ 23, 37, 52, 66 and 80 that YOU have suffered wherein YOU were "rendered sick, sore, lame, disabled and disordered, both internally and externally, and suffered, among other things, numerous internal injuries, severe fright, shock, pain discomfort and anxiety," and/or that YOU allege in COMPLAINT ¶¶ 26, 40, 55, 69 and 83 that YOU "did suffer, and continue[] to suffer severe and permanent emotional and mental distress and anguish, humiliation, embarrassment, fright, shock, pain, discomfort and anxiety."

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"PERMANENT INJURY" as used herein shall mean any INJURY that YOU allege in COMPLAINT ¶¶ 23, 37, 52, 66 and 80 to be "reasonably certain to be permanent in character."

"DOCUMENT" as used herein shall mean each and every "writing" as defined in Section 250 of the California Evidence Code ("handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored"), including, without limitation, papers, notes, letters, records, reports, books, writings, invoices, statements, billing statements, receipts, accountings, ledgers, blueprints, photostats, photocopies, photographs, insurance policies, minutes, agendas, contracts, agreements, summaries, notations of any sort of conversations, diaries, appointment books, calendars, electronic mails (including emails), computer data (including, without limitation, information and programs stored in a computer, whether or not ever printed out or displayed), all graphic or manual, electronic or digital records or representations of any kind, including, without limitation, photographs, microfiche, microfilm, videotapes, records, motions pictures, tapes, cassettes, discs, and magnetic cards, and every other means of recording upon any tangible thing, and including, without limitation, all drafts, alterations, modifications, changes, amendments, originals and all non-identical copies, whether different from the originals by reason of any notation made on such copies or otherwise, of any of the foregoing.

| 2 | "DOCUMENTS" as used herein shall mean the plural of DOCUMENT, which plural |
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| 3 | shall include the singular. |
| 4 | "DOCUMENT IDENTIFICATION" as used herein shall mean, with respect to any |
| 5 | DOCUMENT, (a) the title or other name of the DOCUMENT, (b) the approximate page |
| 7 | count of the DOCUMENT, and (c) the INDIVIDUAL IDENTIFICATION of the person |
| 8 | YOU believe possesses or controls the DOCUMENT. |
| 9 | "PHYSICIAN" as used herein shall mean any physician licensed to practice in any |
| 10 | state within the United States. |
| 11 | "MEDICAL RECORD" as used herein shall mean the DOCUMENTS created by |
| 12 | any PHYSICIAN who has examined, diagnosed or treated YOU anytime in the past five |
| 13 | years, including all DOCUMENTS arising from any doctor visits YOU made pursuant to any |
| 14 | INJURY. |
| 15 | "MEDICAL RECORDS" as used herein shall mean the plural of MEDICAL |
| 16 | RECORD, which plural shall include the singular. |
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| 2 | DOCUMENTS TO BE PRODUCED | | |
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| | Production Demand No. 1. | | |
| | All DOCUMENTS related to any WC CLAIM. | | |
| | Production Demand No. 2. | | |
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| | All DOCUMENTS related to YOUR allegations in COMPLAINT ¶¶ 17, 18h and 62 | | |
| | that YOUR termination by CORPORATION was <u>not</u> due to lack of business. | | |
| | Production Demand No. 3. | | |
| | All DOCUMENTS related to YOUR allegation in COMPLAINT ¶ 32 that the | | |
| | NAMED DEFENDANTS "regularly employed 50 or more people." | | |
| | Production Demand No. 4. | | |
| | All DOCUMENTS related to YOUR allegation in COMPLAINT ¶ 33(c) that the | | |
| | NAMED DEFENDANTS or any of their agents or employees "terminated and retaliated | | |
| | against" YOU because of YOUR "entitlement to and/or requesting and/or taking" MEDICAL | | |
| | | | |
| | LEAVE. | | |
| | Production Demand No. 5. | | |
| | All DOCUMENTS related to any ABUSE. | | |
| | Production Demand No. 6. | | |
| | All DOCUMENTS related to YOUR allegation in COMPLAINT ¶ 20 that the | | |
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| | NAMED DEFENDANTS or any of their agents or employees "knew about, or should have | | |
| | known about, and failed to investigate and/or properly investigate, prevent or remedy" any | | |
| | "physical disability and perceived physical disability discrimination." | | |
| | 7 DEMAND FOR PRODUCTION OF DOCUMENTS | | |
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Production Demand No. 7.

All DOCUMENTS related to YOUR allegation in COMPLAINT ¶ 34 that the NAMED DEFENDANTS or any of their agents or employees "knew about, or should have known about, and failed to investigate and/or properly investigate, prevent or remedy" any "retaliation and discrimination."

Production Demand No. 8.

All DOCUMENTS related to YOUR allegations in COMPLAINT ¶ 49 that YOUR complaints about "unsafe workplace" were "motivating reasons and/or factors" in the NAMED DEFENDANTS terminating YOU.

Production Demand No. 9.

All DOCUMENTS related to YOUR allegations in COMPLAINT ¶¶ 20 and 34 that YOUR complaints about "unlawful conduct" were "motivating reasons and/or factors" in any conduct of the NAMED DEFENDANTS or of any of their agents or employees that caused YOU to be harassed, discriminated against, retaliated against or terminated.

Production Demand No. 10.

All DOCUMENTS related to YOUR allegations in COMPLAINT ¶ 62 that YOUR complaints about "violations of State and/or Federal law" were "a motivating factor and/or reason" in the NAMED DEFENDANTS terminating YOU.

Production Demand No. 11.

All DOCUMENTS related to YOUR allegations in COMPLAINT ¶ 63 that the NAMED DEFENDANTS "made, adopted, and enforced rules, regulations, and policies preventing" YOU or anyone else "from disclosing information to government and law

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| 2 | enforcement agencies" concerning any alleged violation of law by the NAMED | | |
| 3 | DEFENDANTS. | | |
| 4 | DEFENDANTS. | | |
| 5 | Production Demand No. 12. | | |
| 6 | All MEDICAL RECORDS. | | |
| 7 | Production Demand No. 13. | | |
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| 9 | All DOCUMENTS related to YOUR being employed by the DIXONS (as opposed to | | |
| 10 | YOUR being employed by CORPORATION). | | |
| 11 | Production Demand No. 14. | | |
| 12 | All DOCUMENTS related to YOUR holding the DIXONS personally liable for the | | |
| 13 | obligations of CORPORATION in this action (i.e. "piercing the corporate veil"). | | |
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| 16 | Dated: [redacted] | | |
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| 18 | [redacted], Attorneys for Defendants DIXON | | |
| 19 | FURNITURE, INC., NANCY DIXON, and MATT DIXON. | | |
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