

1 ANTHONY MARINACCIO (SBN 259335)
2 ISAAC GUZMAN (SBN 337062)
3 MARINACCIO LAW
4 225 W. Broadway, Suite 103
5 Glendale, CA 91204
6 Tel.: (818) 839-5220
7 Fax: (818) 638-9485
8 E-mail: anthony@marinacciolaw.com

9 Attorney for Plaintiffs: Bradford M. Martinez, Vicki L. Martinez, and Gail Diane Calhoun AKA
10 Gail Diane Houser

11
12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **FOR THE COUNTY OF LOS ANGELES, PASADENA COURTHOUSE**
14

15 BRADFORD M. MARTINEZ, VICKI L.
16 MARTINEZ, AND GAIL DIANE CALHOUN
17 AKA GAIL DIANE HOUSER,

18 Plaintiffs,

19 vs

20 JENNIFER BURBANK AND JAMES
21 BURBANK,

22 Defendants.

Case No. 25PDUD00999

[Assigned for All Purposes to the Hon. Jerry
B. Marshak, Dept. R]

**PLAINTIFF'S REQUEST FOR
PRODUCTION TO DEFENDANT JAMES
BURBANK (SET NO. 1)**

PROPOUNDING PARTY: PLAINTIFF, BRADFORD M. MARTINEZ

RESPONDING PARTY: DEFENDANT, JAMES BURBANK

SET NO: One

Pursuant to *Code of Civil Procedure* § 2031.010 et seq., PLAINTIFF, BRADFORD
MARTINEZ, propounds the following Requests for Production of Documents (Set One) on
PLAINTIFF, JAMES BURBANK ("Plaintiff" or "Responding Party"), and requests that
Plaintiff answer each such request in writing, separately, and under oath, five (5) days from the
date hereof, in the manner specified in said statute, and product responsive documents.

1 **PLEASE TAKE FURTHER NOTICE** that § 2031.210 and § 2031.220 of the Code of
2 Civil Procedure requires a written response, in compliance with said sections.

3 The DOCUMENTS and tangible things for which inspection is demanded are believed
4 to be currently in the possession of said party, not privileged, are relevant to the subject matter
5 of this action and are reasonably calculated to lead to the discovery of admissible evidence.

6 If any document covered by this Demand is withheld by reason of a claim of privilege,
7 a list is to be furnished at the time that a written response is served identifying any such
8 DOCUMENTS for which the privilege is claimed together with the following information with
9 respect to any document withheld:
10

- 11 a. author;
- 12 b. recipient;
- 13 c. sender;
- 14 d. indicated or blind copies;
- 15 e. date;
- 16 f. general subject matter;
- 17 g. basis on which the privilege is claimed; and
- 18 h. the category of DOCUMENTS of this Demand to which such document
19 relates.

20 In the event that any DOCUMENT called for by this Demand has been destroyed, lost,
21 discarded or otherwise disposed of, any such document is to be identified as completely as
22 possible, including without limitation the following information:

- 23 a. date of disposal;
- 24 b. manner of disposal;
- 25 c. reason for disposal;
- 26 d. person authorizing disposal; and
- 27 e. person disposing of document.
- 28

1 In responding to this Demand, the responding party is required to produce all requested
2 DOCUMENTS, whether prepared by or for the responding party, or by or for any other person
3 or entity, which are in the possession, custody, or control of the responding party or its agents
4 and representatives.

5 **DEFINITIONS AND INSTRUCTIONS**

- 6 1. The word “DOCUMENT” and “DOCUMENTS” shall mean any and all “writings,” as
7 the term is defined in California Evidence Code Section 250 and California Code of
8 Civil Procedure Section 2031.010, including, but not limited to any tangible items
9 which contain handwriting, typewriting, printing, photostatic reproduction,
10 photographic reproduction, electronic reproduction, and any other form of
11 communications or representations whether produced, reproduced, or stored on paper,
12 cards, tapes, discs, belts, charts, films (including microfilm or microfiche), computer
13 storage devices or any other medium or recordation that are in YOUR possession,
14 custody or control, or the possession, custody, or control of any of YOUR agents,
15 attorneys, accountants, or representatives.
16
- 17 2. As used in this request for production of DOCUMENTS, every non-identical copy (i.e.,
18 any DOCUMENT which is no longer identical by virtue of any notation or modification
19 of any kind, including, without limiting the generality of the foregoing, notes or
20 modifications on the backs or margins of pages thereof or on copies thereof or by virtue
21 of the attachments thereto) of a “DOCUMENT,” must be produced in response to this
22 request.
23
- 24 3. All designated “DOCUMENTS” are to be taken as including all attachments and
25 enclosures.
- 26 4. “DOCUMENTS” produced pursuant to this request must be segregated according to the
27 paragraphs of this request to which they are responsive. It will not be necessary to
28 submit duplicate copies of DOCUMENTS which are responsive to more than one

1 paragraph of this request if the paragraphs of this request to which they relate are
2 designated.

- 3 5. The terms “CONCERNING” and “REGARDING” means relating to, referring to,
4 describing, evidencing, or constituting.
- 5 6. The word “YOU,” “YOUR” “YOURS,” and “YOURSELF” shall each refer to
6 Defendant, JAMES BURBANK, including JAMES BURBANK’s past and present
7 agents, representatives, assigns, and anyone directing JAMES BURBANK’s actions in
8 the present matter bearing case number 25PDUD00999 (“ACTION”).
- 9 7. The phrase “PROPOUNDING PARTY” shall mean Plaintiff, BRADFORD
10 MARTINEZ, and shall include any of BRADFORD MARTINEZ’s representatives,
11 employees, agents, or assigns as well as any parties directing BRADFORD
12 MARTINEZ’s actions in this ACTION.
- 13 8. The word “COMMUNICATIONS” shall mean any document, oral statement, meeting
14 or conference, formal or informal, at any time or place and under any circumstances
15 whatsoever, whereby information of any nature was stated, written, recorded or in any
16 matter transmitted or transferred.
- 17 9. The word “LEASE” shall mean the Residential Lease or one year Rental Agreement,
18 bearing a commencement date of September 8, 2023 pursuant to which YOU occupy
19 the PREMISES. Attached hereto as Exhibit 1 is a true and correct copy of the LEASE.
- 20 10. The word “RENT” shall mean the amount of money due monthly from YOU in
21 exchange for which YOU are granted the right to occupy the PREMISES that are the
22 subject of this ACTION.
- 23 11. The term “PREMISES” shall mean the real property commonly known as 518 North
24 Stoneman Avenue, Alhambra CA 91801.
- 25 12. The term “REPAIRS” shall mean any work to correct, change, clean, ameliorate, or
26 otherwise fix the PREMISES.
27
28

1 13. The term “CONTACT INFORMATION” shall mean all contact information within the
2 Responding Party’s possession, custody, or control, including, but not limited to
3 personal phone numbers, business phone numbers, e-mail addresses, and mailing
4 addresses.

5 14. The term “HABITABILITY” shall mean the physical condition of a residential living
6 space, including but not limited to, the condition of doors and walls, the accumulation
7 of mold, and infestation of vermin and rodents.

8 15. The term “HOUSING AUTHORITY” is defined as any municipal or county agency or
9 other government institution tasked with regulation and inspection of residential
10 properties, such as the County of Los Angeles or the Los Angeles Housing Community
11 Investment Department.

12 16. The word “PERSON” is defined consistent with California Evidence Code Section 175
13 and shall mean and include any natural person, corporation, partnership, sole
14 proprietorship, organization, association, federation, governmental entity or association,
15 or any other kind of entity.

16 17. The terms “all,” “any,” and “each” shall be construed as encompassing any and all.

17 18. The connectives “and” and “or” shall be construed either disjunctively or conjunctively
18 as necessary to bring within the scope of the discovery request all responses that might
19 otherwise be construed to be outside of its scope.

20 19. The use of the singular form of any word includes the plural and *vice versa*.

21 All definitions construed herein will retain their meaning irrespective of whether they
22 are capitalized in the requests below.
23

24 **REQUEST FOR PRODUCTION OF DOCUMENTS**

25 **REQUEST FOR PRODUCTION NO. 1**

26 All DOCUMENTS that support YOUR contention in YOUR ANSWER that, “Plaintiff
27 waived, changed, or canceled the notice to quit.”
28

1 **REQUEST FOR PRODUCTION NO. 2**

2 All COMMUNICATIONS that support YOUR contention in YOUR ANSWER that,
3 “Plaintiff waived, changed, or canceled the notice to quit.”

4 **REQUEST FOR PRODUCTION NO. 3**

5 All DOCUMENTS that support YOUR contention that “Plaintiff served Defendant with
6 the notice to quit or filed the complaint to retaliate against Defendant.”

7 **REQUEST FOR PRODUCTION NO. 4**

8 All COMMUNICATIONS that support YOUR contention that “Plaintiff served
9 Defendant with the notice to quit or filed the complaint to retaliate against Defendant.”

10 **REQUEST FOR PRODUCTION NO. 5**

11 All DOCUMENTS that support YOUR contention that “Plaintiff’s demand for
12 possession violates the local rent control or eviction control ordinance of [...] Tenant
13 Protection Ordinance of 2019.”

14 **REQUEST FOR PRODUCTION NO. 6**

15 All COMMUNICATIONS that support YOUR contention that “Plaintiff’s demand for
16 possession violates the local rent control or eviction control ordinance of [...] Tenant
17 Protection Ordinance of 2019.”

18 **REQUEST FOR PRODUCTION NO. 7**

19 All DOCUMENTS that support YOUR contention that “Plaintiff failed to state a just
20 cause for termination of tenancy in the written notice to terminate.”

21 **REQUEST FOR PRODUCTION NO. 8**

22 All COMMUNICATIONS that support YOUR contention that “Plaintiff failed to state
23 a just cause for termination of tenancy in the written notice to terminate.”

24 **REQUEST FOR PRODUCTION NO. 9**

25 All DOCUMENTS that support that support YOUR contention that Plaintiff failed to
26 comply with the relocation assistance requirements of Civil Code section 1946.2(d).

27 **REQUEST FOR PRODUCTION NO. 10**

1 All COMMUNICATIONS that support YOUR contention that Plaintiff failed to
2 comply with the relocation assistance requirements of Civil Code section 1946.2(d).

3 **REQUEST FOR PRODUCTION NO. 11**

4 All DOCUMENTS that support YOUR contention that, “Plaintiff violated the Tenant
5 Protection Act in a manner that defeats the complaint.”

6 **REQUEST FOR PRODUCTION NO. 12**

7 All COMMUNICATIONS that support YOUR contention that, “Plaintiff violated the
8 Tenant Protection Act in a manner that defeats the complaint.”

9 **REQUEST FOR PRODUCTION NO. 13**

10 All DOCUMENTS that support YOUR contention that, “Defendants submitted multiple
11 habitability-related complaints [...] including complaints about persistent water intrusion in the
12 garage area [...]”

13 **REQUEST FOR PRODUCTION NO. 14**

14 All COMMUNICATIONS that support YOUR contention that, “Defendants submitted
15 multiple habitability-related complaints [...] including complaints about persistent water
16 intrusion in the garage area [...]”

17 **REQUEST FOR PRODUCTION NO. 15**

18 All DOCUMENTS that support YOUR contention that, “Defendants submitted multiple
19 habitability-related complaints [...] including complaints about persistent water intrusion in the
20 garage area [...] remains unresolved.”

21 **REQUEST FOR PRODUCTION NO. 16**

22 All COMMUNICATIONS that support YOUR contention that, “Defendants submitted
23 multiple habitability-related complaints [...] including complaints about persistent water
24 intrusion in the garage area [...] remains unresolved.”

25 **REQUEST FOR PRODUCTION NO. 17**

26 All DOCUMENTS that support YOUR response to the Form Interrogatories-General
27 Set One.
28

1 **REQUEST FOR PRODUCTION NO. 18**

2 All COMMUNICATIONS that support YOUR response to the Form Interrogatories-
3 General Set One.

4 **REQUEST FOR PRODUCTION NO. 19**

5 All DOCUMENTS that support YOUR responses to the Requests for Admissions Set
6 One.

7 **REQUEST FOR PRODUCTION NO. 20**

8 All COMMUNICATIONS that support YOUR responses to the Requests for
9 Admissions Set One.

10 **REQUEST FOR PRODUCTION NO. 21**

11 All DOCUMENTS CONCERNING any REPAIRS REGARDING the PREMISES that
12 YOU have performed, from the date YOU first occupied the PREMISES through the date of
13 YOUR response to these requests for production of documents – set one.

14 **REQUEST FOR PRODUCTION NO. 22**

15 All COMMUNICATIONS CONCERNING any REPAIRS REGARDING the
16 PREMISES that YOU have performed, from the date YOU first occupied the PREMISES
17 through the date of YOUR response to these requests for production of documents – set one.

18 **REQUEST FOR PRODUCTION NO. 23**

19 All DOCUMENTS CONCERNING any REPAIRS REGARDING the PREMISES that
20 YOU have requested from PROPOUNDING PARTY, from the date YOU first occupied the
21 PREMISES through the date of YOUR response to these requests for production of documents
22 – set one.

23 **REQUEST FOR PRODUCTION NO. 24**

24 All COMMUNICATIONS CONCERNING any REPAIRS REGARDING the
25 PREMISES that YOU have requested from PROPOUNDING PARTY, from the date YOU
26 first occupied the PREMISES through the date of YOUR response to these requests for
27 production of documents – set one.
28

1 **REQUEST FOR PRODUCTION NO. 25**

2 All DOCUMENTS between YOU and PROPOUNDING PARTY, CONCERNING the
3 HABITABILITY of the PREMISES, from the date YOU first occupied the PREMISES
4 through the date of YOUR response to these requests for production of documents – set one.

5 **REQUEST FOR PRODUCTION NO. 26**

6 All COMMUNICATIONS between YOU and PROPOUNDING PARTY,
7 CONCERNING the HABITABILITY of the PREMISES, from the date YOU first occupied the
8 PREMISES through the date of YOUR response to these requests for production of documents
9 – set one.

10 **REQUEST FOR PRODUCTION NO. 27**

11 All DOCUMENTS REGARDING any conditions in violation of state or local building
12 codes, housing codes, or health codes, conditions of dilapidation, or other conditions in need of
13 repair at the PREMISES at any time from the date YOU first occupied the PREMISES through
14 the date of YOUR response to these requests for production of documents – set one.

15 **REQUEST FOR PRODUCTION NO. 28**

16 All COMMUNICATIONS REGARDING any conditions in violation of state or local
17 building codes, housing codes, or health codes, conditions of dilapidation, or other conditions
18 in need of repair at the PREMISES at any time from the date YOU first occupied the
19 PREMISES through the date of YOUR response to these requests for production of documents
20 – set one.

21 **REQUEST FOR PRODUCTION NO. 29**

22 All DOCUMENTS REGARDING the PREMISES between YOU and the HOUSING
23 AUTHORITY, from the date YOU first occupied the PREMISES through the date of YOUR
24 response to these requests for production of documents – set one.

25 **REQUEST FOR PRODUCTION NO. 30**

1 All COMMUNICATIONS REGARDING the PREMISES between YOU and the
2 HOUSING AUTHORITY, from the date YOU first occupied the PREMISES through the date
3 of YOUR response to these requests for production of documents – set one.

4 **REQUEST FOR PRODUCTION NO. 31**

5 All DOCUMENTS that support YOUR response to the Form Interrogatories-General
6 Set One, served concurrently herewith.

7 **REQUEST FOR PRODUCTION NO. 32**

8 All COMMUNICATIONS that support YOUR response to the Form Interrogatories-
9 General Set One, served concurrently herewith.

10 **REQUEST FOR PRODUCTION NO. 33**

11 All DOCUMENTS that support YOUR responses to the Requests for Admissions Set
12 One, served concurrently herewith.

13 **REQUEST FOR PRODUCTION NO. 34**

14 All COMMUNICATIONS that support YOUR responses to the Requests for
15 Admissions Set One, served concurrently herewith.

16 **REQUEST FOR PRODUCTION NO. 35**

17 All DOCUMENTS that IDENTIFY PERSONS that YOU will call as witnesses during
18 trial in this ACTION.

19 **REQUEST FOR PRODUCTION NO. 36**

20 All exhibits you intend to introduce at trial in this ACTION.

21 Dated: June 6, 2025

22
23
24 *Anthony Marinaccio*
25 ANTHONY MARINACCIO
26 Attorney for the Plaintiffs
27
28