

Joseph W. Kellener, Esq. (SBN: 299597)
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Attorney for Plaintiff,

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

JAMES BURBANK, an individual;
JENNIFER BURBANK, an individual;

Plaintiffs,

vs.

BRAD MARTINEZ, an individual; VICKI
MARTINEZ, an individual; GAIL D.
CALHOUN, as TRUSTEE of the GAIL D.
CALHOUN FAMILY TRUST; LOTUS
PROPERTY MANAGEMENT, INC.; BRIAN
GORDON, an individual; SALLY
GUTIERREZ, an individual; GRACE
CHENG, an individual; DOES 1 – 50,
inclusive;

Defendant.

CASE NO. 24NNCV06082

**PLAINTIFF'S RESPONSE TO
DEFENDANT'S FORM
INTERROGATORIES -GENERAL
SET ONE**

PROPOUNDING PARTY: Defendant, BRAD MARTINEZ,
RESPONDING PARTY: Plaintiff, JENNIFER BURBANK,
SET NO.: ONE

FORM INTERROGATORIES

1 **FORM INTERROGATORY 1.1**

2 Joseph W. Kellener, Dignity Law Group, APC, 14401 Sylvan St., Suite 102, Van Nuys, CA
3 91401, (323) 212-5365.

4 **FORM INTERROGATORY 2.1**

- 5 a) Jennifer Burbank
6
7 b) Jennifer Barreda
8
9 c) January 2020- Present; From Birth- January 2020.

9 **FORM INTERROGATORY 2.2**

10 Objection. This interrogatory seeks private information protected under the California
11 Constitution and other applicable laws, and the need for discovery does not outweigh the
12 responding party's privacy interest.

13 **FORM INTERROGATORY 2.3**

14 Objection. This interrogatory seeks private information protected under the California
15 Constitution and other applicable laws, and the need for discovery does not outweigh the
16 responding party's privacy interest.

17 **FORM INTERROGATORY 2.4**

18 Objection. This interrogatory seeks private information protected under the California
19 Constitution and other applicable laws, and the need for discovery does not outweigh the
20 responding party's privacy interest.

21 **FORM INTERROGATORY 2.5**

- 22 a) 518 N Stoneman Ave Alhambra, CA 91801; 09/08/2023- Present.
23
24 b) 405 N Madison Ave #21 Pasadena, CA 91101
25
26 c) 09/08/2023- Present; October 2017 – September 7, 2023.

27 **FORM INTERROGATORY 2.6**

- 28 a) Objection. This interrogatory seeks private information protected under the California

1 Constitution and other applicable laws, and the need for discovery does not outweigh
2 the responding party's privacy interest.

- 3 b) Objection. This interrogatory seeks private information protected under the California
4 Constitution and other applicable laws, and the need for discovery does not outweigh
5 the responding party's privacy interest.
6

7 **FORM INTERROGATORY 2.7**

- 8 a) Objection. This interrogatory seeks private information protected under the California
9 Constitution and other applicable laws, and the need for discovery does not outweigh
10 the responding party's privacy interest.
11 b) Objection. This interrogatory seeks private information protected under the California
12 Constitution and other applicable laws, and the need for discovery does not outweigh
13 the responding party's privacy interest.
14 c) Objection. This interrogatory seeks private information protected under the California
15 Constitution and other applicable laws, and the need for discovery does not outweigh
16 the responding party's privacy interest.
17 d) Objection. This interrogatory seeks private information protected under the California
18 Constitution and other applicable laws, and the need for discovery does not outweigh
19 the responding party's privacy interest.
20

21 **FORM INTERROGATORY 2.8**

- 22 a) Not Applicable
23 b) Not Applicable
24 c) Not Applicable
25 d) Not Applicable
26

27 **FORM INTERROGATORY 2.9**

28 Yes.

1 **FORM INTERROGATORY 2.10**

- 2 a) Yes.

3 **FORM INTERROGATORY 2.11**

- 4 a) Not Applicable

5 **FORM INTERROGATORY 2.12**

- 6 a) Not Applicable

- 7 b) Not Applicable

- 8 c) Not Applicable

9 **FORM INTERROGATORY 2.13**

- 10 a) Not Applicable

- 11 b) Not Applicable

- 12 c) Not Applicable

- 13 d) Not Applicable

- 14 e) Not Applicable

- 15 f) Not Applicable

- 16 g) Not Applicable

17 **FORM INTERROGATORY 4.1**

- 18 a) Renters Insurance

- 19 b) Allstate Insurance Company; 2775 Sanders Rd, Northbrook, IL 60062

- 20 c) James S. Burbank and Jennifer Burbank; 518 N Stoneman Ave Alhambra, Ca. 91801;

21 213-858-1725

- 22 d) 967707309

- 23 e) Family Liability Protection: \$100,000 each occurrence; Guest Medical Protection: \$1,000
24 each person; etc.

- 25 f) As of the date of this response, no reservation of rights has been issued by Allstate

1 Insurance Company regarding this INCIDENT, and there is no known controversy or
2 coverage dispute concerning this INCIDENT.

3 g) Not Applicable

4 **FORM INTERROGATORY 4.2**

5 Not Applicable

6 **FORM INTERROGATORY 6.1**

7 Yes.

8 **FORM INTERROGATORY 6.2**

9 Plaintiff has suffered of anxiety, depression, weight loss, iron deficiency, fatigue and mental
10 exhaustion, loss of sleep and of appetite.

11 **FORM INTERROGATORY 6.3**

- 12
- 13 a) Plaintiff continues to experience significant anxiety and depression as a direct result of the
- 14 incident. These symptoms manifest as persistent worry, stress, feelings of helplessness,
- 15 and difficulty coping with daily activities; As a result of the stress and emotional distress
- 16 caused by the incident, Plaintiff experienced unintended weight loss. The loss of appetite,
- 17 which is a symptom of the anxiety and depression, led to a reduction in Plaintiff's overall
- 18 body weight; Plaintiff continue to experience fatigue and mental exhaustion, which are
- 19 primarily caused by the ongoing emotional distress from the incident. Fatigue affects both
- 20 physical energy levels and Plaintiff's ability to concentrate; the anxiety and stress from the
- 21 incident have led to difficulty sleeping, which affects both the quantity and quality of
- 22 Plaintiff's rest that leads to having trouble falling asleep and frequent awakenings
- 23 throughout the night; the emotional distress and anxiety caused by the incident have led to
- 24 a significant loss of appetite, making it difficult for Plaintiff to eat regularly and maintain
- 25 proper nutrition.
- 26
- 27 b) The anxiety and depression remain the same and have not subsided significantly. Despite
- 28

1 efforts to manage emotional distress, the impact of the incident continues to affect my
2 mental health; the weight loss is subsiding; fatigue and mental exhaustion remain the
3 same; the lack of sleep remains the same. Despite attempts to improve sleep habits,
4 Plaintiff's continue to struggle with insomnia and disrupted sleep patterns; the loss of
5 appetite is subsiding although Plaintiff experience fluctuations from time to time in eating
6 habits, particularly during times of high stress or anxiety.
7

- 8 c) These symptoms are present daily and have been ongoing since the incident. They have
9 persisted for several months and are closely tied to the stress caused by the ongoing issues;
10 weight loss occurred primarily in the first few months after the incident; symptoms occur
11 daily and have persisted since the incident; Plaintiff's experience sleep disturbances
12 almost every night, and these issues have been ongoing since the incident; Loss of appetite
13 occurred immediately after the incident and has continued intermittently since then.
14

15 **FORM INTERROGATORY 6.4**

- 16 a) Jackeelyn Mendoza, MFT. 5201; Great America Pkwy Santa Clara, CA 95054; Phone
17 Number Unknown.
18 b) Ongoing psychotherapy sessions to address symptoms of emotional distress, including
19 anxiety, depression, mental exhaustion, and stress-related symptoms
20 c) 01-17-2025; 03-31-2025
21 d) Charges are ongoing, per session is \$10.
22

23 **FORM INTERROGATORY 6.5**

- 24 a) Not Applicable
25 b) Not Applicable
26 c) Not Applicable
27 d) Not Applicable
28 e) Not Applicable

1
2 **FORM INTERROGATORY 6.6**

- 3 a) Not Applicable
4 b) Not Applicable
5 c) Not Applicable
6 d) Not Applicable
7

8 **FORM INTERROGATORY 6.7**

- 9 a) Jackeelyn Mendoza MFT. 5201; Great America Pkwy, Santa Clara, CA 95054
10 b) Treatment was recommended for emotional distress, including anxiety, depression,
11 fatigue, and stress-related symptoms that were attributed to the incident.
12 c) Treatment consists of ongoing individual psychotherapy sessions, typically once per week,
13 duration of treatment is currently undetermined, as it depends on therapeutic progress and
14 continued symptoms, cost per session is \$10 out of pocket; Physical therapy sessions are
15 ongoing, potential counseling/therapy, not yet assigned a specialist,
16

17 **FORM INTERROGATORY 7.1**

- 18 a) Clothing, toys, books, plastic containers, towels, moving boxes and other items yet to be
19 reviewed or assessed.
20 b) Items were damaged in the garage due to water exposure from a leaking pipe and from the
21 ceiling leaking.
22 c) Unknown to Plaintiff.
23 d) Not Applicable
24

25 **FORM INTERROGATORY 7.2**

- 26 a) Not Applicable
27 b) Not Applicable
28 c) Not Applicable

1 **FORM INTERROGATORY 7.3**

- 2 a) Damaged items were tossed away, have not been replaced.
- 3 b) Not Applicable
- 4 c) Not Applicable
- 5 d) Not Applicable
- 6 e) Not Applicable
- 7

8 **FORM INTERROGATORY 8.1**

9 Yes.

10 **FORM INTERROGATORY 8.2**

- 11 a) Objection. This interrogatory seeks private information protected under the California
- 12 Constitution and other applicable laws, and the need for discovery does not outweigh the
- 13 responding party's privacy interest.
- 14
- 15 b) Objection. This interrogatory seeks private information protected under the California
- 16 Constitution and other applicable laws, and the need for discovery does not outweigh the
- 17 responding party's privacy interest.
- 18
- 19 c) Objection. This interrogatory seeks private information protected under the California
- 20 Constitution and other applicable laws, and the need for discovery does not outweigh the
- 21 responding party's privacy interest.

22 **FORM INTERROGATORY 8.3**

23 Actively working before the incident.

24 **FORM INTERROGATORY 8.4**

25 Gross income is an estimate of \$5,210.

26 **FORM INTERROGATORY 8.5**

27 Missed work from time to time.

28

1 **FORM INTERROGATORY 8.6**

2 July 17, 2024 partial day, July 19, 2024 partial day, August 13, 2024 partial day, August 20, 2024
3 partial day, August 21, 2024, September 12, 2024 partial day, September 20, 2024 partial day,
4 October 7, 2024, October 8, 2024 partial day, October 14, 2024 partial day, October 21, 2024
5 partial day, November 21, 2024 partial day, March 7, 2024 partial day, April 9, 2024 partial day,
6 April 10, 2024, April 17, 2024.
7

8 **FORM INTERROGATORY 8.7**

9 Exact amount is currently unknown; Lost income will be calculated based on the hourly rate and
10 the hours missed from work.

11 **FORM INTERROGATORY 8.8**

- 12 a) Yes. Plaintiff will need time off from work to handle court days and all legal matters, time
13 off for doctors appointments.
14
15 b) Approximately \$293.99 per day based on the hourly rate.
16
17 c) Unknown to Plaintiff.
18
19 d) Based on normal work schedule and average pay, daily amount approximately \$293.99.

18 **FORM INTERROGATORY 9.1**

- 19 a) Not Applicable
20
21 b) Not Applicable
22
23 c) Not Applicable
24
25 d) Not Applicable

24 **FORM INTERROGATORY 9.2**

25 Not Applicable

26 **FORM INTERROGATORY 10.1**

- 27 a) Not Applicable
28
b) Not Applicable

1 c) Not Applicable

2 **FORM INTERROGATORY 10.2**

3
4 Not Applicable

5 **FORM INTERROGATORY 10.3**

6 a) Began on or around June 19, 2024, at residence, and has continued to the present due to
7 ongoing landlord retaliation, unresolved habitability issues, and related stressors.

8
9 b) Defendant

10 c) Ongoing emotional distress, including anxiety, sadness, frustration, difficulty sleeping,
11 and loss of peace and comfort in home.

12 d) Jackeelyn Mendoza MFT. 5201; Great America Pkwy, Santa Clara, CA 95054

13 d) Ongoing therapy sessions beginning in April 2025 to address the emotional impact of the
14 housing situation.

15
16 **FORM INTERROGATORY 11.1**

17 a) January 2019; Pasadena; Intersections- El Molino Ave and Villa Ave.

18 b) Objection. This interrogatory seeks private information protected under the California
19 Constitution and other applicable laws, and the need for discovery does not outweigh the
20 responding party's privacy interest.

21 c) Objection. This interrogatory seeks private information protected under the California
22 Constitution and other applicable laws, and the need for discovery does not outweigh the
23 responding party's privacy interest.

24
25 d) Armen Zadourian, 2606 Foothill Blvd, La Cresenta, CA 91214. 818-538-3303.

26 e) Resolved.

27 f) Wiplash and neck/ shoulder pain.

28 **FORM INTERROGATORY 11.2**

a) Not Applicable

1 b) Not Applicable

2 c) Not Applicable

3 d) Not Applicable

4 e) Not Applicable

5 f) Not Applicable

6 g) Not Applicable

7
8 **FORM INTERROGATORY 12.2**

9 a) Not Applicable

10 b) Not Applicable

11 c) Not Applicable

12 **FORM INTERROGATORY 12.3**

13 a) Not Applicable

14 b) Not Applicable

15 c) Not Applicable

16 d) Not Applicable

17
18 **FORM INTERROGATORY 12.4**

19 a) Numerous photos and videos.

20 b) Interior and exterior of property.

21 c) September 2023- Present

22 d) Plaintiff

23 e) Plaintiff

24
25 **FORM INTERROGATORY 12.5**

26 a) Not Applicable

27 b) Not Applicable

28 c) Not Applicable

1
2 **FORM INTERROGATORY 12.6**

- 3 a) Tyler Molloy; Building Inspector; Blue Ribbon Property Inspections; LAHD; Lotus
4 Property Services Inc.; Property Management Company; California Civil Rights
5 Department; U.S Housing and Urban Development; Police Report.
6
7 b) October 24, 2024, Building Inspections; October 2, 2024, mold test; September 12, 2024
8 unit inspection; February 29, 2025.
9
c) Tyler Molloy; 300 E. Bennett Ave, Unit 8, Glendora, CA 91741; (626) 223-5571
10
d) Plaintiff

11 **FORM INTERROGATORY 12.7**

- 12 a) Plaintiff; Tyler Molloy; 300 E. Bennett Ave, Unit 8, Glendora, CA 91741; (626) 223-
13 5571; LAHD, Meng Xu, Lotus Property Services Inc., Jasson Walke, (310) 541-1534,
14
15 b) September 2023; October 24, 2024; September 2024; October 02, 2024

16 **FORM INTERROGATORY 13.1**

- 17 a) Not Applicable
18
b) Not Applicable
19
c) Not Applicable
20
d) Not Applicable
21

22 **FORM INTERROGATORY 13.2**

- 23 a) Not Applicable
24
b) Not Applicable
25
c) Not Applicable
26
d) Not Applicable
27

28 **FORM INTERROGATORY 14.1**

Yes. Defendants and Defendants agents Lotus Property Management, Inc. retaliated against

1 Plaintiff when asked for repairs and for a better habitable environment; Defendant breached the
2 lease agreement in providing habitable conditions

3 **FORM INTERROGATORY 14.2**

- 4 a) Yes. Defendants.
5 b) Unknown to Plaintiff.
6 c) Unknown to Plaintiff
7
8 d) Los Angeles Housing Department and California Civil Rights Department.

9 **FORM INTERROGATORY 17.1**

10 **RFA No. 3:** Plaintiff's dog was exempt from the "No Pets" clause because the dog was an
11 Emotional Support Animal (ESA); Defendants and Plaintiff; 518 N Stoneman Ave Alhambra, CA
12 91801; Phone Number Unknown to Plaintiff.

13 **RFA No. 9:** The removal of the glass shower was not the cause of the damage to the upstairs
14 bathroom. The water intrusion was a pre-existing issue that was brought to Defendant's attention
15 prior to the removal of the glass shower and in the report done by Blue Ribbon on May 22, 2024;
16 Defendant's; 518 N Stoneman Ave Alhambra, CA 91801; Phone Number Unknown to Plaintiff.

17 **FORM INTERROGATORY 50.1**

- 18
19 a) Plaintiff and Defendant; 518 N Stoneman Ave Alhambra, CA 91801; Phone Number
20 Unknown to Plaintiff.
21
22 b) Service animals/ESAs would be exempt from the "No Pets" clause no written evidence
23 exists. The only written modification is the Animal Addendum executed August 23, 2024,
24 approving the ESA, held by tenants and landlords; Defendants and Plaintiff; 518 N
25 Stoneman Ave Alhambra, CA 91801; Phone Number Unknown to Plaintiff.
26
27 c) Lease Agreement; 518 N Stoneman Ave Alhambra, CA 91801; Phone Number Unknown
28 to Plaintiff.
d) Unwritten modification was the mutual agreement on August 26, 2024 to withdraw the

1 nonrenewal and continue month-to-month tenancy, communicated via email; Defendants
2 and Plaintiff; 518 N Stoneman Ave Alhambra, CA 91801; Phone Number Unknown to
3 Plaintiff.

4 e) Unwritten modification was the mutual agreement on August 26, 2024 to withdraw the
5 nonrenewal and continue month-to-month tenancy, communicated via email; Defendants
6 and Plaintiff; 518 N Stoneman Ave Alhambra, CA 91801; Phone Number Unknown to
7 Plaintiff.
8

9 f) Not Applicable

10 **FORM INTERROGATORY 50.2**

11 Yes. Defendants breached the Lease Agreement by issuing a nonrenewal notice for an ESA on June
12 19, 2024; refusing to repair habitability defects, each constituting a breach of the covenant of quiet
13 enjoyment and implied warranty of habitability; factual basis includes the June 19, 2024
14 nonrenewal email and landlord's own statements attributing water damage to preexisting issues .
15

16 **FORM INTERROGATORY 50.3**

17 Yes. Tenant performance under the "No Pets" clause was legally excused as a reasonable
18 accommodation for an ESA excuse based on ESA letter and fair housing statutes.

19 **FORM INTERROGATORY 50.4**

20 Yes. On August 26, 2024, Defendants rescinded the nonrenewal notice and agreed to continue the
21 tenancy month-to-month accepted by Plaintiffs; mutual release is memorialized by Vicki
22 Martinez's August 26, 2024 by email .
23

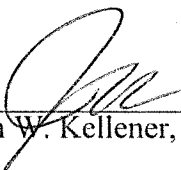
24 **FORM INTERROGATORY 50.5**

25 Yes. The AB1482 Exemption Disclosure attached August 23, 2024 is unenforceable under Civil
26 Code §1946.2 because it was not included in the original lease, rendering Defendants' claimed just-
27 cause eviction invalid. Defendant breached the contract by providing a habitable environment.
28

FORM INTERROGATORY 50.6

1 Yes. The lease agreement "No Pets" clause is ambiguous regarding service animals/ESA's due to
2 the lack of clarity Wheater ESA's were prohibited.

3
4 DATED: April 30, 2025

5 By: 
6 Joseph W. Kellener, Esq

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES:

I am employed in the County of LOS ANGELES, STATE OF CALIFORNIA. My business address is: 14401 Sylvan St., Suite 102, Van Nuys, CA 91402. I am over the age of 18 years and am not a party to this action.

On April 30, 2025, I served the following document(s) entitled:

**PLAINTFF'S RESPONSE TO DEFENDANT'S FORM INTERROGATORIES –
UNLAWFUL DETAINER - SET ONE**

On ALL INTERESTED PARTIES in this action by inserting a true copy thereof in a sealed envelope and placing it for collection and mailing following ordinary business practices addressed to:

Shanna Van Wagner
LYNBERG & WATKINS
185 West F Street, Ste. 400
San Diego, CA 92101
Ph: (619) 814 - 2169
svanwagner@lynber.com

☐ **BY MAIL:** I am readily familiar with the practice of this business for collection and processing of correspondence, pleadings, and other matters for mailing with the United States Postal Service. The correspondence, pleadings and other matters are deposited with the United States Postal Service with postage thereon fully prepaid in Van Nuys, California on the same day in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

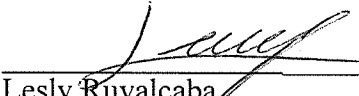
☐ **BY FACSIMILE:** I caused all pages of the above-entitled document to be sent to the recipient(s) by facsimile at the respective telephone/fax number(s) listed above.

☒ **BY ELECTRONIC MAIL:** The document listed, was transmitted via email to the address(es) on the service list noted above.

☐ **BY PERSONAL DELIVERY:** I placed the original of the foregoing documents in a sealed envelope addressed to the party listed above, and caused such an envelope to be delivered by hand to the office of the addressee.

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

Executed this 30th day of April 2025, at Van Nuys, California.



Lesly Ruvalcaba
info@dignitylawgroup.com

Joseph W. Kellener, Esq. (SBN: 299597)
David R Greene, Esq. (SBN: 285472)
DIGNITY LAW GROUP, APC
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Tel: (818) 901-8600
Fax: (844) 901-8601

Attorney for Plaintiff,

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FOR THE COUNTY OF LOS ANGELES**

JAMES BURBANK, AN INDIVIDUAL;
JENNIFER BURBANK, AN INDIVIDUAL;

PLAINTIFFS,

vs.

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MARTINEZ, AN INDIVIDUAL; GAIL D.
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CALHOUN FAMILY TRUST; LOTUS
PROPERTY MANAGEMENT, INC.; BRIAN
GORDON, AN INDIVIDUAL; SALLY
GUTIERREZ, AN INDIVIDUAL; GRACE
CHENG, AN INDIVIDUAL; DOES 1 – 50,
INCLUSIVE;

Defendant,

CASE NO. 24NNCV06082

**PLAINTIFF'S RESPONSE TO
DEFENDANT'S REQUEST FOR
ADMISSION - SET ONE**

PROPOUNDING PARTY: Defendant, BRAD MARTINEZ,
RESPONDING PARTY: Plaintiff, JENNIFER BURBANK,
SET NO.: ONE

RESPONSE TO REQUEST FOR ADMISSION

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REQUEST FOR ADMISSION NO. 1

Admit.

REQUEST FOR ADMISSION NO. 2

Admit.

REQUEST FOR ADMISSION NO. 3

Deny.

REQUEST FOR ADMISSION NO. 4

Admit.

REQUEST FOR ADMISSION NO. 5

Can not Admit or Deny.

REQUEST FOR ADMISSION NO. 6

Admit.

REQUEST FOR ADMISSION NO. 7

Admit.

REQUEST FOR ADMISSION NO. 8

Admit

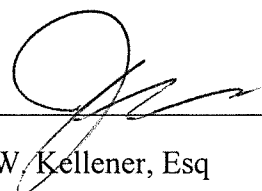
REQUEST FOR ADMISSION NO. 9

Deny.

REQUEST FOR ADMISSION NO. 10

Admit

DATED: April 30, 2025

By: 
Joseph W. Kellener, Esq

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Attorney for Plaintiff,

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SET ONE**

PROPOUNDING PARTY: Defendant, BRAD MARTINEZ,
RESPONDING PARTY: Plaintiff, JAMES BURBANK,
SET NO.: ONE

FORM INTERROGATORIES

1 **FORM INTERROGATORY 1.0**

2 Joseph W. Kellener, Dignity Law Group, APC, 14401 Sylvan St., Suite 102, Van Nuys, CA
3 91401, (323) 212-5365.

4 **FORM INTERROGATORY 2.1**

5 a) James Burbank

6 b) Not Applicable

7 c) Not Applicable

8 **FORM INTERROGATORY 2.2**

9
10 Objection. This interrogatory seeks private information protected under the California
11 Constitution and other applicable laws, and the need for discovery does not outweigh the
12 responding party's privacy interest.

13 **FORM INTERROGATORY 2.3**

14
15 Objection. This interrogatory seeks private information protected under the California
16 Constitution and other applicable laws, and the need for discovery does not outweigh the
17 responding party's privacy interest.

18 **FORM INTERROGATORY 2.4**

19
20 Objection. This interrogatory seeks private information protected under the California
21 Constitution and other applicable laws, and the need for discovery does not outweigh the
22 responding party's privacy interest.

23 **FORM INTERROGATORY 2.5**

24 a) 518 N Stoneman Ave Alhambra, CA 91801; 09/08/2023- Present.

25 b) Objection. This interrogatory seeks private information protected under the California
26 Constitution and other applicable laws, and the need for discovery does not outweigh the
27 responding party's privacy interest.

28 c) 09/08/2023- Present;

1 **FORM INTERROGATORY 2.6**

2 a) Objection. This interrogatory seeks private information protected under the California
3 Constitution and other applicable laws, and the need for discovery does not outweigh
4 the responding party's privacy interest.

5 b) Objection. This interrogatory seeks private information protected under the California
6 Constitution and other applicable laws, and the need for discovery does not outweigh
7 the responding party's privacy interest.
8

9 **FORM INTERROGATORY 2.7**

10 a) Objection. This interrogatory seeks private information protected under the California
11 Constitution and other applicable laws, and the need for discovery does not outweigh
12 the responding party's privacy interest.

13 b) Objection. This interrogatory seeks private information protected under the California
14 Constitution and other applicable laws, and the need for discovery does not outweigh
15 the responding party's privacy interest.
16

17 c) Objection. This interrogatory seeks private information protected under the California
18 Constitution and other applicable laws, and the need for discovery does not outweigh
19 the responding party's privacy interest.

20 d) Objection. This interrogatory seeks private information protected under the California
21 Constitution and other applicable laws, and the need for discovery does not outweigh
22 the responding party's privacy interest.
23

24 **FORM INTERROGATORY 2.8**

25 a) Not Applicable

26 b) Not Applicable

27 c) Not Applicable

28 d) Not Applicable

1 **FORM INTERROGATORY 2.9**

2 Yes.

3 **FORM INTERROGATORY 2.10**

4 a) Yes.

5 **FORM INTERROGATORY 2.11**

6 a) Not Applicable

7 **FORM INTERROGATORY 2.12**

8 a) Not Applicable

9 b) Not Applicable

10 c) Not Applicable

11 **FORM INTERROGATORY 2.13**

12 a) Objection. This interrogatory seeks private information protected under the California
13 Constitution and other applicable laws, and the need for discovery does not outweigh the
14 responding party's privacy interest.

15 b) Objection. This interrogatory seeks private information protected under the California
16 Constitution and other applicable laws, and the need for discovery does not outweigh the
17 responding party's privacy interest.

18 c) Objection. This interrogatory seeks private information protected under the California
19 Constitution and other applicable laws, and the need for discovery does not outweigh the
20 responding party's privacy interest.

21 d) Objection. This interrogatory seeks private information protected under the California
22 Constitution and other applicable laws, and the need for discovery does not outweigh the
23 responding party's privacy interest.

24 e) Objection. This interrogatory seeks private information protected under the California
25 Constitution and other applicable laws, and the need for discovery does not outweigh the
26 responding party's privacy interest.

1 responding party's privacy interest.

2 f) Objection. This interrogatory seeks private information protected under the California
3 Constitution and other applicable laws, and the need for discovery does not outweigh the
4 responding party's privacy interest.

5 g) Objection. This interrogatory seeks private information protected under the California
6 Constitution and other applicable laws, and the need for discovery does not outweigh the
7 responding party's privacy interest.
8

9 **FORM INTERROGATORY 4.1**

10 a) Renters Insurance

11 b) Allstate Insurance Company; 2775 Sanders Rd, Northbrook, IL 60062

12 c) James S. Burbank and Jennifer Burbank; 518 N Stoneman Ave Alhambra, Ca. 91801;
13 213-858-1725

14 d) 967707309

15 e) Family Liability Protection: \$100,000 each occurrence; Guest Medical Protection: \$1,000
16 each person; etc.
17

18 f) As of the date of this response, no reservation of rights has been issued by Allstate
19 Insurance Company regarding this INCIDENT, and there is no known controversy or
20 coverage dispute concerning this INCIDENT.

21 g) Not Applicable
22

23 **FORM INTERROGATORY 4.2**

24 Not Applicable

25 **FORM INTERROGATORY 6.1**

26 Yes.

27 **FORM INTERROGATORY 6.2**

28 Plaintiff sprained his ankle due to an unsatiated stairway; emotional distress from Defendant's

1 conduct and habitability issues; and physical tension/pain on the neck and shoulders caused by
2 ongoing stress from these incidents/events.

3 **FORM INTERROGATORY 6.3**

- 4 a) Mild lingering ankle soreness with occasional stiffness; mental stress/anxiety still present
5 due to ongoing habitability/landlord retaliation issues.
6
7 b) Ankle pain subsided mostly over 4 weeks, with sharp pain occasionally recurring for
8 several months; emotional stress remains ongoing.
9
10 c) Ankle stiffness is occasional; emotional distress is frequent and triggered by continuing
11 landlord disputes; Neck/shoulder pain is a constant throughout the day.

12 **FORM INTERROGATORY 6.4**

- 13 a) Primary Care Physician; Dr. Irina Jasper, MD; 960 E Green St #286, Pasadena, CA
14 91106; (626) 356-0340; On 01-17-2025; Physical Therapist: Im Physical Therapy Inc;
15 2555 E Colorado Blvd #204, Pasadena, CA 91107; (626) 449-9910.
16
17 b) Plaintiff sought assistance for stress related neck/shoulder pain, was granted leave from
18 work, and was referred to as a physical therapist and mental health follow-up.
19 Neck/shoulder pain evaluation/treatment; still ongoing.
20
21 c) 01-17-2025; 03-31-2025
22
23 d) To be Determined.

24 **FORM INTERROGATORY 6.5**

- 25 a) Not Applicable
26
27 b) Not Applicable
28
29 c) Not Applicable
30
31 d) Not Applicable
32
33 e) Not Applicable

1 **FORM INTERROGATORY 6.6**

- 2 a) Not Applicable
3 b) Not Applicable
4 c) Not Applicable
5 d) Not Applicable
6

7 **FORM INTERROGATORY 6.7**

- 8 a) Dr. Irina Jasper, MD; 960 E Green St #286, Pasadena, CA 91106; (626) 356-0340; On 01-
9 17-2025; Mental Health Specialist; not yet assigned to one.
10 b) Neck/shoulder tension and anxiety due to stress.
11 c) Physical therapy sessions are ongoing; potential counseling/therapy, not yet assigned a
12 specialist; to be determined.
13

14 **FORM INTERROGATORY 7.1**

- 15 a) Damages to Property
16 b) Not Applicable
17 c) Not Applicable
18 d) Not Applicable
19

20 **FORM INTERROGATORY 7.2**

- 21 a) Not Applicable
22 b) Not Applicable
23 c) Not Applicable
24

25 **FORM INTERROGATORY 7.3**

- 26 a) Damaged items were tossed away, have not been replaced.
27 b) Not Applicable
28 c) Not Applicable
d) Not Applicable

1 e) Not Applicable

2 **FORM INTERROGATORY 8.1**

3 a) Yes. Plaintiff has been on stress leave from his job since January 17, 2025 due to the stress
4 caused by the Defendants Conduct and Habitability issues.

5 **FORM INTERROGATORY 8.2**

6 a) Transportation/Truck Driver

7 b) Truck Driver

8 c) August 2023

9 **FORM INTERROGATORY 8.3**

10 January 17, 2025

11 **FORM INTERROGATORY 8.4**

12 Approximately 60 hours per week at \$32 per hour; Overtime 40 hours.

13 **FORM INTERROGATORY 8.5**

14 Not Applicable

15 **FORM INTERROGATORY 8.6**

16 January 17, 2025 – Present

17 **FORM INTERROGATORY 8.7**

18 Exact amount is currently unknown; Lost income will be calculated by multiplying weekly or
19 monthly pay rate (including overtime) plus any bonus that would have received for the entire
20 period off of work.

21 **FORM INTERROGATORY 8.8**

22 a) Plaintiff is uncertain how long his mental and physical recovery will take. Therefore,
23 having to be off work for a longer time.

24 b) Approximately 60 hours per week at \$32 per hour; bonuses.

25 c) Multiplying weekly or monthly pay rate (including overtime) plus any bonus that would

1 have received for the entire period off of work.

2 **FORM INTERROGATORY 9.1**

3 a) Not Applicable

4 b) Not Applicable

5 c) Not Applicable

6 d) Not Applicable

7 **FORM INTERROGATORY 9.2**

8 Not Applicable

9 **FORM INTERROGATORY 10.1**

10 a) Not Applicable

11 b) Not Applicable

12 c) Not Applicable

13 **FORM INTERROGATORY 10.2**

14 Not Applicable

15 **FORM INTERROGATORY 10.3**

16 a) Not Applicable

17 b) Not Applicable

18 c) Not Applicable

19 d) Not Applicable

20 e) Not Applicable

21 **FORM INTERROGATORY 11.1**

22 a) Not Applicable

23 b) Not Applicable

24 c) Not Applicable

25 d) Not Applicable

1 e) Not Applicable

2 f) Not Applicable

3 **FORM INTERROGATORY 11.2**

4 a) Not Applicable

5 b) Not Applicable

6 c) Not Applicable

7 d) Not Applicable

8 e) Not Applicable

9 f) Not Applicable

10 g) Not Applicable

11 **FORM INTERROGATORY 12.2**

12 a) Not Applicable

13 b) Not Applicable

14 c) Not Applicable

15 **FORM INTERROGATORY 12.3**

16 a) Not Applicable

17 b) Not Applicable

18 c) Not Applicable

19 d) Not Applicable

20 **FORM INTERROGATORY 12.4**

21 a) Numerous photos and videos.

22 b) Interior and exterior of property.

23 c) September 2023- Present

24 d) Plaintiff

25 e) Plaintiff

1 **FORM INTERROGATORY 12.5**

2 a) Not Applicable

3 b) Not Applicable

4 c) Not Applicable

5 **FORM INTERROGATORY 12.6**

6 a) Tyler Molloy; Building Inspector; Blue Ribbon Property Inspections

7 b) October 24, 2024; Building Inspections

8 c) Tyler Molloy; 300 E. Bennett Ave, Unit 8, Glendora, CA 91741; (626) 223-5571

9 d) Plaintiff

10 **FORM INTERROGATORY 12.7**

11 a) Plaintiff; Tyler Molloy; 300 E. Bennett Ave, Unit 8, Glendora, CA 91741; (626) 223-5571

12 b) September 2023; October 24, 2024

13 **FORM INTERROGATORY 13.1**

14 a) Not Applicable

15 b) Not Applicable

16 c) Not Applicable

17 d) Not Applicable

18 **FORM INTERROGATORY 13.2**

19 a) Not Applicable

20 b) Not Applicable

21 c) Not Applicable

22 d) Not Applicable

23 **FORM INTERROGATORY 14.1**

24 Yes. Defendants and Defendants agents Lotus Property Management, Inc. retaliated against
25 Plaintiff when asked for repairs and for a better habitable environment; Defendant breached the

1 lease agreement in providing habitable conditions

2 **FORM INTERROGATORY 14.2**

3 a) Not Applicable

4 b) Not Applicable

5 c) Not Applicable

6 d) Not Applicable

7 **FORM INTERROGATORY 17.1**

8 **RFA No. 3:** Plaintiff's dog was exempt from the "No Pets" clause because the dog was an
9 Emotional Support Animal (ESA); Defendants and Plaintiff; 518 N Stoneman Ave Alhambra, CA
10 91801; Phone Number Unknown to Plaintiff.

11 **RFA No. 9:** The removal of the glass shower was not the cause of the damage to the upstairs
12 bathroom. The water intrusion was a pre-existing issue that was brought to Defendant's attention
13 prior to the removal of the glass shower and in the report done by Blue Ribbon on May 22, 2024;
14 Defendant's; 518 N Stoneman Ave Alhambra, CA 91801; Phone Number Unknown to Plaintiff.

15 **FORM INTERROGATORY 50.1**

16 a) Plaintiff and Defendant; 518 N Stoneman Ave Alhambra, CA 91801; Phone Number
17 Unknown to Plaintiff.

18 b) Service animals/ESAs would be exempt from the "No Pets" clause no written evidence
19 exists. The only written modification is the Animal Addendum executed August 23, 2024,
20 approving the ESA, held by tenants and landlords; Defendants and Plaintiff; 518 N
21 Stoneman Ave Alhambra, CA 91801; Phone Number Unknown to Plaintiff.

22 c) Lease Agreement; 518 N Stoneman Ave Alhambra, CA 91801; Phone Number Unknown
23 to Plaintiff.

24 d) Unwritten modification was the mutual agreement on August 26, 2024 to withdraw the
25 nonrenewal and continue month-to-month tenancy, communicated via email; Defendants
26

1 and Plaintiff; 518 N Stoneman Ave Alhambra, CA 91801; Phone Number Unknown to
2 Plaintiff.

3 e) Unwritten modification was the mutual agreement on August 26, 2024 to withdraw the
4 nonrenewal and continue month-to-month tenancy, communicated via email; Defendants
5 and Plaintiff; 518 N Stoneman Ave Alhambra, CA 91801; Phone Number Unknown to
6 Plaintiff.

7
8 f) Not Applicable

9 **FORM INTERROGATORY 50.2**

10 Yes. Defendants breached the Lease Agreement by issuing a nonrenewal notice for an ESA on June
11 19, 2024; refusing to repair habitability defects, each constituting a breach of the covenant of quiet
12 enjoyment and implied warranty of habitability; factual basis includes the June 19, 2024
13 nonrenewal email and landlord's own statements attributing water damage to preexisting issues .

14
15 **FORM INTERROGATORY 50.3**

16 Yes. Tenant performance under the "No Pets" clause was legally excused as a reasonable
17 accommodation for an ESA excuse based on ESA letter and fair housing statutes.

18 **FORM INTERROGATORY 50.4**

19 Yes. On August 26, 2024, Defendants rescinded the nonrenewal notice and agreed to continue the
20 tenancy month-to-month accepted by Plaintiffs; mutual release is memorialized by Vicki
21 Martinez's August 26, 2024 by email .

22
23 **FORM INTERROGATORY 50.5**

24 Yes. The AB1482 Exemption Disclosure attached August 23, 2024 is unenforceable under Civil
25 Code §1946.2 because it was not included in the original lease, rendering Defendants' claimed just-
26 cause eviction invalid .

27 **FORM INTERROGATORY 50.6**

28 Yes. The lease agreement "No Pets" clause is ambiguous regarding service animals/ESA's due to

1 the lack of clarity Wheater ESA's were prohibited.

2
3 DATED: April 30, 2025

4 By: 
5 Joseph W. Kellener, Esq

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1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES:

3 I am employed in the County of LOS ANGELES, STATE OF CALIFORNIA. My
4 business address is: 14401 Sylvan St., Suite 102, Van Nuys, CA 91402. I am over the age of 18
years and am not a party to this action.

5 On April 30, 2025, I served the following document(s) entitled:

6 **PLAINTFF'S RESPONSE TO DEFENDANT'S FORM INTERROGATORIES –**
7 **UNLAWFUL DETAINER - SET ONE**

8 On ALL INTERESTED PARTIES in this action by inserting a true copy thereof in a sealed
9 envelope and placing it for collection and mailing following ordinary business practices addressed
to:

10 Shanna Van Wagner
11 **LYNBERG & WATKINS**
12 185 West F Street, Ste. 400
13 San Diego, CA 92101
14 Ph: (619) 814 - 2169
15 svanwagner@lynber.com

16 ☐ **BY MAIL:** I am readily familiar with the practice of this business for collection and processing
17 of correspondence, pleadings, and other matters for mailing with the United States Postal Service.
18 The correspondence, pleadings and other matters are deposited with the United States Postal
19 Service with postage thereon fully prepaid in Van Nuys, California on the same day in the ordinary
20 course of business. I am aware that on motion of the party served, service is presumed invalid if the
21 postal cancellation date or postage meter date is more than one day after date of deposit for mailing
in affidavit.

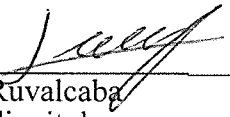
22 ☐ **BY FACSIMILE:** I caused all pages of the above-entitled document to be sent to the
23 recipient(s) by facsimile at the respective telephone/fax number(s) listed above.

24 ☒ **BY ELECTRONIC MAIL:** The document listed, was transmitted via email to the address(es)
25 on the service list noted above.

26 ☐ **BY PERSONAL DELIVERY:** I placed the original of the foregoing documents in a sealed
27 envelope addressed to the party listed above, and caused such an envelope to be delivered by hand
28 to the office of the addressee.

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

Executed this 30th day of April 2025, at Van Nuys, California.



Lesly Ruvalcaba
info@dignitylawgroup.com

Joseph W. Kellener, Esq. (SBN: 299597)
David R Greene, Esq. (SBN: 285472)
DIGNITY LAW GROUP, APC
14401 Sylvan St., Ste 102
Van Nuys, CA 91401
Tel: (818) 901-8600
Fax: (844) 901-8601

Attorney for Plaintiff,

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

JAMES BURBANK, AN INDIVIDUAL;
JENNIFER BURBANK, AN INDIVIDUAL;

PLAINTIFFS,

vs.

BRAD MARTINEZ, AN INDIVIDUAL; VICKI
MARTINEZ, AN INDIVIDUAL; GAIL D.
CALHOUN, AS TRUSTEE OF THE GAIL D.
CALHOUN FAMILY TRUST; LOTUS
PROPERTY MANAGEMENT, INC.; BRIAN
GORDON, AN INDIVIDUAL; SALLY
GUTIERREZ, AN INDIVIDUAL; GRACE
CHENG, AN INDIVIDUAL; DOES 1 – 50,
INCLUSIVE;

Defendant,

CASE NO. 24NNCV06082

**PLAINTIFF'S RESPONSE TO
DEFENDANT'S REQUEST FOR
ADMISSION - SET ONE**

PROPOUNDING PARTY: Defendant, BRAD MARTINEZ,
RESPONDING PARTY: Plaintiff, JAMES BURBANK,
SET NO.: ONE

RESPONSE TO REQUEST FOR ADMISSION

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REQUEST FOR ADMISSION NO. 1

Admit.

REQUEST FOR ADMISSION NO. 2

Admit.

REQUEST FOR ADMISSION NO. 3

Deny.

REQUEST FOR ADMISSION NO. 4

Admit.

REQUEST FOR ADMISSION NO. 5

Can not Admit or Deny.

REQUEST FOR ADMISSION NO. 6

Admit.

REQUEST FOR ADMISSION NO. 7

Admit.

REQUEST FOR ADMISSION NO. 8

Admit

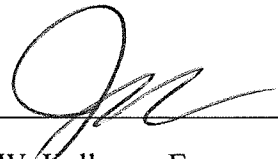
REQUEST FOR ADMISSION NO. 9

Deny.

REQUEST FOR ADMISSION NO. 10

Admit

DATED: April 30, 2025

By: 
Joseph W. Kellener, Esq

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I am employed in the County of LOS ANGELES, STATE OF CALIFORNIA. My business address is: 14401 Sylvan St., Suite 102, Van Nuys, CA 91402. I am over the age of 18 years and am not a party to this action.

PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION - SET ONE

Shanna Van Wagner
LYNBERG & WATKINS
185 West F Street, Ste. 400
San Diego, CA 92101
Ph: (619) 814-2169
svanwagner@lynber.com

☐ **BY FACSIMILE:** I caused all pages of the above-entitled document to be sent to the recipient(s) by facsimile at the respective telephone/fax number(s) listed above.

☐ **BY PERSONAL DELIVERY:** I placed the original of the foregoing documents in a sealed envelope addressed to the party listed above, and caused such an envelope to be delivered by hand to the office of the addressee.

Executed this 30th day of April 2025, at Van Nuys, California.

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