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 BRAD MARTINEZ, VICKI MARTINEZ,
 GAIL D. CALHOUN, AS TRUSTEE OF THE GAIL D. CALHOUN FAMILY TRUST, and
 LOTUS PROPERTY MANAGEMENT, INC.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – ALHAMBRA COURTHOUSE

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;

Defendants.

CASE NO. 24NNCV06082

**DEFENDANT BRAD MARTINEZ’S
 RESPONSES TO PLAINTIFF JENNIFER
 BURBANK’S REQUEST FOR
 ADMISSIONS, SET ONE**

Trial Date: None Set
Complaint Filed: November 25, 2024

PROPOUNDING PARTY: Plaintiff, JENNIFER BURBANK

RESPONDING PARTY: Defendant, BRAD MARTINEZ

SET NO.: ONE

TO PLAINTIFF AND HER RESPECTIVE ATTORNEYS OF RECORD:

Pursuant to Sections 2030.210, *et seq.*, of the California Code of Civil Procedure,
 Defendant BRAD MARTINEZ (“Responding Party”) hereby submits these objections and
 responses to the First Set of Request for Admissions propounded by Plaintiff JENNIFER

BURBANK (“Propounding Party”) as follows:

PRELIMINARY STATEMENT

Responding Party has not completed its investigation of the facts relating to this case, its discovery or its preparation for trial. All responses and objections contained herein are based only upon information that is presently available to and specifically known by Responding Party. It is anticipated that further discovery, independent investigation, legal research and analysis will supply additional facts and add meaning to known facts, as well as establish entirely new factual conclusions and legal contentions, all of which may lead to substantial additions to, changes in and variations from the responses set forth herein.

These responses, while based on diligent inquiry and investigation by Responding Party, reflect only the current state of Responding Party’s knowledge, understanding, and belief, based upon the information reasonably available to it at this time. As this action proceeds, and further investigation and discovery are conducted, additional or different facts and information could be revealed to Responding Party. Moreover, Responding Party anticipates that Propounding Party may make legal or factual contentions presently unknown to and unforeseen by Responding Party which may require Responding Party to adduce further facts in rebuttal to such contentions. Consequently, Responding Party may not yet have knowledge and may not fully understand the significance of information potentially pertinent to these responses. Accordingly, these responses are provided without prejudice to Responding Party’s right to rely upon and use any information that it subsequently discovers, or that was omitted from these responses as a result of mistake, inadvertence, surprise, or excusable neglect. Without in any way obligating itself to do so, Responding Party reserves the right to modify, supplement, revise, or amend these responses, and to correct any inadvertent errors or omissions which may be contained herein, in light of the information that Responding Party may subsequently obtain or discover.

Nothing in this response should be construed as an admission by Responding Party with respect to the admissibility or relevance of any fact or document, or of the truth or accuracy of any characterization or statement of any kind contained in Propounding Party’s requests.

Each of the following responses is made solely for the purpose of this action. Each

1 response is subject to all objections as to relevance, materiality, and admissibility, and to any and
2 all objections on any ground that would require exclusion of any response if it were introduced in
3 court. All objections and grounds are expressly reserved and may be interposed at the time of
4 trial, hearing, or otherwise. Furthermore, each of the objections contained herein is incorporated
5 by reference as though fully set forth in each response.

6 The following objections and responses are made without prejudice to Responding Party's
7 right to produce at trial, or otherwise, evidence regarding any subsequently discovered
8 information. Responding Party accordingly reserves the right to modify and amend any and all
9 responses herein as research is completed and contentions are made.

10 Nothing contained herein is to be construed as a waiver of any attorney-client privilege,
11 work product doctrine, or any other applicable privilege or doctrine. To the extent any request
12 may be construed as calling for disclosure of information protected from discovery by the
13 attorney-client privilege, the work product doctrine, or any other privilege or protection, a
14 continuing objection to each and every such request is hereby interposed.

15 **GENERAL OBJECTIONS TO REQUEST FOR ADMISSIONS**

16 Responding Party generally objects to the Request for Admissions as follows:

17 A. Responding Party objects generally to the Request for Admissions to the extent that
18 they seek to elicit information that is neither relevant to the subject matter of this action, nor
19 reasonably calculated to lead to the discovery of admissible evidence.

20 B. Responding Party objects generally to the Request for Admissions to the extent that
21 they are unreasonably overbroad in scope, and thus burdensome and oppressive, in that each such
22 request seeks information pertaining to items and matters that are not relevant to the subject matter
23 of this action, or, if relevant, so remote therefrom as to make its disclosure of little or no practical
24 benefit to Propounding Party, while placing a wholly unwarranted burden and expense on
25 Responding Party in locating, reviewing and producing the requested information.

26 C. Responding Party objects generally to the Request for Admissions to the extent that
27 they are burdensome and oppressive, in that ascertaining the information necessary to respond to
28 them would require the review and compilation of information from multiple locations, and

voluminous records and files, thereby involving substantial time of employees of Responding Party and great expense to Responding Party, whereas the information sought to be obtained by Propounding Party would be of little use or benefit to Propounding Party.

D. Responding Party objects generally to the Request for Admissions to the extent that they are vague, uncertain, overbroad and without limitation as to time or specific subject matter.

E. Responding Party objects generally to the Requests for Admission to the extent that they seek information at least some of which is protected by the attorney-client privilege or the attorney work-product doctrine, or both.

F. Responding Party objects generally to the Request for Admissions to the extent that they seek to have Responding Party furnish information that is a matter of the public record, and therefore is equally available to the Propounding Party as they are to Responding Party.

G. Responding Party objects generally to the Request for Admissions to the extent that they seek to have Responding Party furnish information that is proprietary to Responding Party and contain confidential information.

H. Responding Party objects to the Request for Admissions, and to any individual request set forth therein, to the extent that they are compound and constitute an impermissible effort to circumvent the 35 special request limit set by Section 2033.030 of the California Code of Civil Procedure.

I. Responding Party expressly incorporates each of the foregoing General Objections into each specific response to the requests set forth below as if set forth in full therein. An answer to a request is not intended to be a waiver of any applicable specific or general objection to such request.

Without waiver of the foregoing, Responding Party further responds as follows:

RESPONSES TO REQUEST FOR ADMISSIONS

REQUEST FOR ADMISSION NO. 1:

Admit that YOU owe a duty of care to the PLAINTIFF.

RESPONSE TO REQUEST FOR ADMISSION NO. 1:

Objection. This request is vague, ambiguous and overbroad as to time. This request is

1 vague, ambiguous, and/or unintelligible to the phrase “duty of care.” The request also calls for a
2 legal opinion.

3 Subject to, and without waiving the foregoing objections, Responding Party responds as
4 follows: Deny. Discovery is ongoing, and Responding Party reserves the right to amend and/or
5 supplement the response to this request accordingly.

6 **REQUEST FOR ADMISSION NO. 2:**

7 Admit it YOU knew about the substandard conditions at the PREMISES.

8 **RESPONSE TO REQUEST FOR ADMISSION NO. 2:**

9 Objection. The request is vague and ambiguous as to the phrase “substandard conditions”
10 which is nowhere defined by Propounding Party. The request is argumentative and assumes facts
11 not in evidence.

12 Subject to, and without waiving the foregoing objections, Responding Party responds as
13 follows: Deny. Discovery is ongoing, and Responding Party reserves the right to amend and/or
14 supplement the response to this request accordingly.

15 **REQUEST FOR ADMISSION NO. 3:**

16 Admit that YOU knew about the ceiling damage located below the upstairs restroom inside
17 the second bedroom at the PREMISES.

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 3:**

19 Objection. The request is vague and ambiguous as to the phrase “ceiling damage” which is
20 nowhere defined by Propounding Party. The request is argumentative and assumes facts not in
21 evidence.

22 Subject to, and without waiving the foregoing objections, Responding Party responds as
23 follows: Deny. Discovery is ongoing, and Responding Party reserves the right to amend and/or
24 supplement the response to this request accordingly

25 **REQUEST FOR ADMISSION NO. 4:**

26 Admit that YOUR negligence was a contributing factor to this INCIDENT.

27 **RESPONSE TO REQUEST FOR ADMISSION NO. 4:**

28 Objection. This request is vague, ambiguous, and/or unintelligible to the term “negligence.”

This request calls for a legal opinion. This request assumes facts not in evidence. This request calls for premature disclosure of expert opinion.

Subject to, and without waiving the foregoing objections, Responding Party responds as follows:

Deny. Discovery is ongoing, and Responding Party reserves the right to amend and/or supplement the response to this request accordingly.

REQUEST FOR ADMISSION NO. 5:

Admit that YOU knew about the first-floor restroom flooding at the PREMISES.

RESPONSE TO REQUEST FOR ADMISSION NO. 5:

Objection. This request is vague, ambiguous, and/or unintelligible to the term “flooding.” This request calls for a legal opinion. This request assumes facts not in evidence. This request calls for premature disclosure of expert opinion.

Subject to, and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party admits that he was notified by Plaintiff of a small amount of water in the first floor bathroom. Discovery is ongoing, and Responding Party reserves the right to amend and/or supplement the response to this request accordingly.

REQUEST FOR ADMISSION NO. 6:

Admit that YOU have interfered with the quiet enjoyment of the PREMISES for the Plaintiff.

RESPONSE TO REQUEST FOR ADMISSION NO. 6:

Objection. This request is vague and ambiguous in time and scope. This request calls for a legal opinion. This request assumes facts not in evidence. This request calls for premature disclosure of expert opinion. The request is also argumentative as phrased.

Subject to, and without waiving the foregoing objections, Responding Party responds as follows:

Deny. Discovery is ongoing, and Responding Party reserves the right to amend and/or supplement the response to this request accordingly.

1 **REQUEST FOR ADMISSION NO. 7:**

2 Admit that YOU have a duty to comply with all applicable state and local laws governing
3 the Plaintiffs rights as a tenant.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 7:**

5 Objection. This request is argumentative. The request is vague and ambiguous as to
6 "Plaintiffs rights as a tenant." This request calls for a legal opinion. This request calls for premature
7 disclosure of expert opinion.

8 Subject to, and without waiving the foregoing objections, Responding Party responds as
9 follows:

10 Admit. Discovery is ongoing, and Responding Party reserves the right to amend and/or
11 supplement the response to this request accordingly.

12 **REQUEST FOR ADMISSION NO. 8:**

13 Admit that YOU have a duty to maintain the PREMISES in a safe, healthy, and habitable
14 condition for the entire term of Plaintiffs residency.

15 **RESPONSE TO REQUEST FOR ADMISSION NO. 8:**

16 Objection. This request is argumentative. The request is vague and ambiguous as to time
17 and scope. This request calls for a legal opinion as well as premature disclosure of expert opinion.

18 Subject to, and without waiving the foregoing objections, Responding Party responds as
19 follows:

20 Admit. Discovery is ongoing, and Responding Party reserves the right to amend and/or
21 supplement the response to this request accordingly.

22 **REQUEST FOR ADMISSION NO. 9:**

23 Admit that YOU have created a nuisance for the Plaintiff.

24 **RESPONSE TO REQUEST FOR ADMISSION NO. 9:**

25 Objection. This request is vague and ambiguous in time and scope. This request calls for a
26 legal opinion. This request assumes facts not in evidence. This request calls for premature
27 disclosure of expert opinion. The request is also argumentative as phrased.

28 Subject to, and without waiving the foregoing objections, Responding Party responds as

1 follows:

2 Deny. Discovery is ongoing, and Responding Party reserves the right to amend and/or
3 supplement the response to this request accordingly.

4 **REQUEST FOR ADMISSION NO. 10:**

5 Admit that on or about June 19, 2024, YOU sent an email to Plaintiffs stating that the
6 LEASE for 518 North Stoneman Avenue, Alhambra, CA 91801 would terminate on September
7 15, 2024, and would not be renewed.

8 **RESPONSE TO REQUEST FOR ADMISSION NO. 10:**

9 Objection. The request is compound and seeks admission of multiple facts in violation of
10 California Code of Civil Procedure section 2033.060(f).

11 Subject to, and without waiving the foregoing objections, Responding Party responds as
12 follows:

13 Responding Party denies sending the email, but admits that the content is accurate.
14 Discovery is ongoing, and Responding Party reserves the right to amend and/or supplement the
15 response to this request accordingly.

16 **REQUEST FOR ADMISSION NO. 11:**

17 Admit that in the June 19, 2024, email, YOU stated that the decision to terminate the
18 LEASE was made due to alleged violations of lease terms 13 and 17.

19 **RESPONSE TO REQUEST FOR ADMISSION NO. 11:**

20 Objection. The request is compound and seeks admission of multiple facts in violation of
21 California Code of Civil Procedure section 2033.060(f).

22 Subject to, and without waiving the foregoing objections, Responding Party responds as
23 follows:

24 Responding Party denies sending the email, but admits that the content is accurate.
25 Discovery is ongoing, and Responding Party reserves the right to amend and/or supplement the
26 response to this request accordingly.

27 **REQUEST FOR ADMISSION NO. 12:**

28 Admit that prior to sending the June 19, 2024, non-renewal notice, YOU did not issue a

written notice to cure or a formal lease violation notice to the Plaintiffs regarding any alleged violation of LEASE term 13.

RESPONSE TO REQUEST FOR ADMISSION NO. 12:

Objection. The request is compound and seeks admission of multiple facts in violation of California Code of Civil Procedure section 2033.060(f).

Subject to, and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party has conducted a reasonable inquiry concerning the matter in this particular request, and that the information currently known or readily obtainable is insufficient to enable that Responding Party to admit the matter, and on that basis, denies. Discovery is ongoing, and Responding Party reserves the right to amend and/or supplement the response to this request accordingly.

REQUEST FOR ADMISSION NO. 13:

Admit that prior to sending the June 19, 2024, non-renewal notice, YOU did not issue a written notice to cure, or a formal lease violation notice to the Plaintiffs regarding any alleged violation of **lease** term 17.

RESPONSE TO REQUEST FOR ADMISSION NO. 13:

Objection. The request is compound and seeks admission of multiple facts in violation of California Code of Civil Procedure section 2033.060(f).

Subject to, and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party has conducted a reasonable inquiry concerning the matter in this particular request, and that the information currently known or readily obtainable is insufficient to enable that Responding Party to admit the matter, and on that basis, denies. Discovery is ongoing, and Responding Party reserves the right to amend and/or supplement the response to this request accordingly.

REQUEST FOR ADMISSION NO. 14:

Admit that YOU did not confirm or communicate to the tenants that the ceiling damage

located below the upstairs restroom inside the second bedroom was caused by the removal of the shower doors prior to June 19, 2024.

RESPONSE TO REQUEST FOR ADMISSION NO. 14:

Objection. The request is compound and seeks admission of multiple facts in violation of California Code of Civil Procedure section 2033.060(f).

Subject to, and without waiving the foregoing objections, Responding Party responds as follows:

Deny. Discovery is ongoing, and Responding Party reserves the right to amend and/or supplement the response to this request accordingly.

REQUEST FOR ADMISSION NO. 15:

Admit that YOU did not request or demand that Plaintiffs pay for or repair the ceiling damage located below the upstairs restroom inside the second bedroom prior to June 19, 2024.

RESPONSE TO REQUEST FOR ADMISSION NO. 15:

Objection. The request is compound and seeks admission of multiple facts in violation of California Code of Civil Procedure section 2033.060(f).

Subject to, and without waiving the foregoing objections, Responding Party responds as follows:

Admit. Discovery is ongoing, and Responding Party reserves the right to amend and/or supplement the response to this request accordingly

REQUEST FOR ADMISSION NO. 16:

Admit that no individual or professional determined that the ceiling damage or water staining located below the upstairs restroom inside the second bedroom was caused by the removal of the shower doors prior to June 19, 2024.

THERE MAY BE FULL COMPLAINEE (sic) with this request by forwarding the above-mentioned items to the DIGNITY LAW GROUP, attorneys for JENNIFER BURBANK, at 14401 Sylvan St., Ste 102, Van Nuys, CA 91401, accompanied by the written response and verification.

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RESPONSE TO REQUEST FOR ADMISSION NO. 16:

Objection. This request is vague and ambiguous in time and scope, and unintelligible as to the last paragraph. This request calls for a legal opinion. This request assumes facts not in evidence. This request calls for premature disclosure of expert opinion. The request is also argumentative as phrased. The request is compound and seeks admission of multiple facts in violation of California Code of Civil Procedure section 2033.060(f).

Subject to, and without waiving the foregoing objections, Responding Party responds as follows:

Deny. Discovery is ongoing, and Responding Party reserves the right to amend and/or supplement the response to this request accordingly.

DATED: August 19, 2025

**MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP**

By: _____



Lane E. Webb, Esq.
Shanna M. Van Wagner, Esq.
Attorneys for Defendants,
BRAD MARTINEZ, VICKI MARTINEZ,
GAIL D. CALHOUN, AS TRUSTEE OF THE
GAIL D. CALHOUN FAMILY TRUST, and
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VERIFICATION

I have read the foregoing and know its contents:

DEFENDANT BRAD MARTINEZ’S RESPONSES TO PLAINTIFF JENNIFER BURBANK’S REQUEST FOR ADMISSIONS, SET ONE

I am a party to this action, and I am authorized to make this verification for and on my 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 and correct.

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

Executed on August 19, 2025, at Los Angeles, California.

Brad Martinez	<i>Brad Martinez</i>
_____ Name of Signatory	_____ Signature