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Attorneys for Defendants,  
 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 JAMES  
 BURBANK’S SPECIAL  
 INTERROGATORIES, SET ONE**

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

**PROPOUNDING PARTY:** Plaintiff, JAMES BURBANK

**RESPONDING PARTY:** Defendant, BRAD MARTINEZ

**SET NO.:** ONE

**TO PLAINTIFF AND HIS 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 Special Interrogatories propounded by Plaintiff JAMES BURBANK

1 (“Propounding Party”) as follows:

2 **PRELIMINARY STATEMENT**

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

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

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

28 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  
12 interrogatory may be construed as calling for disclosure of information protected from discovery  
13 by the attorney-client privilege, the work product doctrine, or any other privilege or protection, a  
14 continuing objection to each and every such interrogatory is hereby interposed.

### 15 **GENERAL OBJECTIONS TO INTERROGATORIES**

16 Responding Party generally objects to the Interrogatories as follows:

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

20 B. Responding Party objects generally to the Interrogatories to the extent that they are  
21 unreasonably overbroad in scope, and thus burdensome and oppressive, in that each such  
22 interrogatory seeks information pertaining to items and matters that are not relevant to the subject  
23 matter of this action, or, if relevant, so remote therefrom as to make its disclosure of little or no  
24 practical 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 Interrogatories to the extent that they are  
27 burdensome and oppressive, in that ascertaining the information necessary to respond to them  
28 would require the review and compilation of information from multiple locations, and voluminous

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

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

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

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

12 G. Responding Party objects generally to the Interrogatories to the extent that they seek to  
13 have Responding Party furnish information that is proprietary to Responding Party and contain  
14 confidential information.

15 H. Responding Party objects to the interrogatories, and to any individual interrogatory set  
16 forth therein, to the extent that they are compound and constitute an impermissible effort to  
17 circumvent the 35 special interrogatory limit set by Section 2030.030 of the California Code of  
18 Civil Procedure.

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

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

24 **RESPONSES TO SPECIAL INTERROGATORIES**

25 **SPECIAL INTERROGATORY NO. 1:**

26 IDENTIFY each DOCUMENT which supports the affirmative defenses YOU have  
27 alleged in YOUR Answer to the Complaint filed in this action. The terms "YOU" and "YOUR"  
28 refer to the defendant to whom this set of special interrogatories has been propounded. The term

"IDENTIFY", when used with respect to a DOCUMENT, means to describe it with sufficient clarity to enable the party propounding this discovery device to formulate a reasonable description for inclusion in a demand for inspection, including the name or title and date of the DOCUMENT, and the name of each person or entity possessing a copy thereof. The term "DOCUMENT" means a writing, as defined in Evidence Code section 250, and includes the original or a copy of handwriting, typewriting, printing, photostating, photographing, and every other means of recording upon any tangible thing and form of communicating or representation, including letters, words, pictures, sounds, or symbols, or combinations of them.

**RESPONSE TO SPECIAL INTERROGATORY NO. 1:**

Objection. Responding Party objects that this interrogatory violates California Code of Civil Procedure §2030.060(d) as not being full and complete in and of itself. This interrogatory refers to a separate discovery request, thus the interrogatory is not complete in itself. Further, responding to this interrogatory would necessitate making a compilation or summary of information contained in both the Plaintiffs and the Defendants' document productions; and the burden or expense of preparing or making it would be substantially the same for the interrogating party as for the responding party. Code Civ. Proc. § 2030.230.

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

Responding Party has conducted a thorough and diligent search and reasonable inquiry into the subject matter of this interrogatory and identifies the documents produced herewith in response to the Requests for Production propounded on Responding Party.

Discovery in this matter is ongoing, and Responding Party reserves the right to supplement or amend this response as this matter progresses.

**SPECIAL INTERROGATORY NO. 2:**

As to each of YOUR responses to the first set of requests for admissions which are served upon YOU concurrently herewith which shall be other than an unqualified admission, state each fact which YOU contend supports such response. The terms "YOU" and "YOUR" refer to the defendant to whom this set of special interrogatories has been propounded

1 **RESPONSE TO SPECIAL INTERROGATORY NO. 2:**

2       Objection. Responding Party objects that this interrogatory violates California Code of  
3 Civil Procedure §2030.060(d) as not being full and complete in and of itself. This interrogatory  
4 refers to a separate discovery request, thus the interrogatory is not complete in itself. Further,  
5 responding to this interrogatory would necessitate making a compilation or summary of  
6 information contained in Responding Party's responses to Form Interrogatory 17.1; and the burden  
7 or expense of preparing or making it would be substantially the same for the interrogating party as  
8 for the responding party. Code Civ. Proc. § 2030.230. The interrogatory is also objected to on the  
9 grounds that it is continuous discovery that has previously been propounded, and is burdensome  
10 and oppressive.

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

13       Responding Party refers the Propounding Party to the responses to Form Interrogatory  
14 17.1, concurrently served herewith. Discovery in this matter is ongoing, and Responding Party  
15 reserves the right to supplement or amend this response as this matter progresses.

16 **SPECIAL INTERROGATORY NO. 3:**

17       As to each of YOUR responses to the first set of requests for admissions which are  
18 served upon YOU concurrently herewith which shall be other than an unqualified admission,  
19 IDENTIFY each person whom YOU believe has knowledge of the facts which support such  
20 response. The terms "YOU" and "YOUR" refer to the defendant to whom this set of special  
21 interrogatories has been propounded. The term "IDENTIFY" means to state his or her full name,  
22 residential address, business and/or work address, residential telephone number and business  
23 and/or work telephone number.

24 **RESPONSE TO SPECIAL INTERROGATORY NO. 3:**

25       Objection. Responding Party objects that this interrogatory violates California Code of  
26 Civil Procedure §2030.060(d) as not being full and complete in and of itself. This interrogatory  
27 refers to a separate discovery request, thus the interrogatory is not complete in itself. Further,  
28 responding to this interrogatory would necessitate making a compilation or summary of

1 information contained in Responding Party's responses to Form Interrogatory 17.1; and the burden  
2 or expense of preparing or making it would be substantially the same for the interrogating party as  
3 for the responding party. Code Civ. Proc. § 2030.230. The interrogatory is also objected to on the  
4 grounds that it is continuous discovery that has previously been propounded, and is burdensome  
5 and oppressive.

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

8 Responding Party refers the Propounding Party to the responses to Form Interrogatory  
9 17.1, concurrently served herewith. Discovery in this matter is ongoing, and Responding Party  
10 reserves the right to supplement or amend this response as this matter progresses.

11 **SPECIAL INTERROGATORY NO. 4:**

12 As to each of YOUR responses to the first set of requests for admissions which are  
13 served upon YOU concurrently herewith which shall be other than an unqualified admission.  
14 IDENTIFY each DOCUMENT which supports such response. "The terms "YOU" and "YOUR"  
15 refer to the defendant to whom this set of special interrogatories has been propounded. The term  
16 "IDENTIFY", when used with respect to a DOCUMENT, means to describe it with sufficient  
17 clarity to enable the party propounding this discovery device to formulate a reasonable description  
18 for inclusion in a demand for inspection, including the name or title and date of the  
19 DOCUMENT, and the name of each person or entity possessing a copy thereof. The term  
20 "DOCUMENT" means a writing, as defined in Evidence Code section 250, and includes the  
21 original or a copy of handwriting, typewriting, printing, photostating, photographing, and every  
22 other means of recording upon any tangible thing and form of communication or representation,  
23 including letters, words, pictures, sounds, or symbols, or combinations of them.

24 **RESPONSE TO SPECIAL INTERROGATORY NO. 4:**

25 Objection. Responding Party objects that this interrogatory violates California Code of  
26 Civil Procedure §2030.060(d) as not being full and complete in and of itself. This interrogatory  
27 refers to a separate discovery request, thus the interrogatory is not complete in itself. Further,  
28 responding to this interrogatory would necessitate making a compilation or summary of



1 information contained in Responding Party's responses to Form Interrogatory 17.1; and the burden  
2 or expense of preparing or making it would be substantially the same for the interrogating party as  
3 for the responding party. Code Civ. Proc. § 2030.230. The interrogatory is also objected to on the  
4 grounds that it is continuous discovery that has previously been propounded, and is burdensome  
5 and oppressive.

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

8 Responding Party refers the Propounding Party to the responses to Form Interrogatory  
9 17.1, concurrently served herewith. Discovery in this matter is ongoing, and Responding Party  
10 reserves the right to supplement or amend this response as this matter progresses.

11 **SPECIAL INTERROGATORY NO. 5:**

12 DESCRIBE FULLY each COMMUNICATION occurring anytime during the past  
13 two years between YOU and the PROPOUNDING PARTY wherein its subject matter related in  
14 any way to the persons occupying the PREMISES. The term "DESCRIBE FULLY" means to  
15 state the date, parties, form, and substance. The term COMMUNICATION means all methods  
16 and means by which information or data is sent, received, or exchanged, including, without  
17 limitation, in person conversations, telephone conversations, and the sending, receiving or  
18 exchanging of items through the mail, by delivery service, by hand delivery, by email, by  
19 electronic messaging, by text messaging, or by means of facsimile. The term "YOU" means the  
20 person to whom this set of special interrogatories has been propounded. The term  
21 "PROPOUNDING PARTY" means Plaintiff JAMES BURBANK, as well as any person or entity  
22 believed by YOU to have been acting as its agent, employee or representative, including, without  
23 limitation, any property manager. The term "PREMISES" means the real property that is the  
24 subject of this action located at 518 N STONEMAN A VENUE, ALHAMBRA, CALIFORNIA  
25 91801.

26 **RESPONSE TO SPECIAL INTERROGATORY NO. 5:**

27 Objection. Responding Party objects that responding to this interrogatory would  
28 necessitate making a compilation or summary of information contained in the Plaintiffs and



Defendants' email and text correspondence between each other; and no such compilation or summary presently exists; and the burden or expense of preparing or making it would be substantially the same for the interrogating party as for the responding party. (Code Civ. Proc. § 2030.230.) Further, this interrogatory calls for a narrative response. Responding Party also objects that this interrogatory seeks information equally available to Propounding Party, as the interrogatory seeks a description of every communication between Propounding Party and Responding Party; Responding Party does not have an obligation to obtain information that is equally available to the Propounding Party. (Code Civ. Proc. § 2030.220(c).)

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

Pursuant to Code Civ. Proc. § 2030.230, Responding Party directs Propounding Party to the Plaintiffs' document production, as well as the Defendants' document production at: DEF 000011 – DEF 000046; DEF 000088 - 000170; DEF 000381 – DEF 000410. Responding Party refers Propounding Party to emails and video footage from January 2025, regarding the leaking with foul odor, concerns of mold, floor damage, as well as plumbing, and repair to address issues Propounding Party raised regarding the property.

Discovery in this matter is ongoing, and Responding Party reserves the right to supplement or amend this response as this matter progresses.

**SPECIAL INTERROGATORY NO. 6:**

DESCRIBE FULLY each payment of rent for the PREMISES made to YOU during the past 12 months. The term "DESCRIBE FULLY" means to state the date, amount, payor, payee and rental period to which it was intended to be applied. The term "YOU" means the person to whom this set of special interrogatories has been propounded, as well as any person acting on YOUR behalf. The term "PREMISES" means the real property that is the subject of this action located at 518 N STONEMAN A VENUE, ALHAMBRA, CALIFORNIA 91801.

**RESPONSE TO SPECIAL INTERROGATORY NO. 6:**

Objection. Responding Party objects that this interrogatory seeks information equally available to Propounding Party, as the interrogatory seeks a description of every

1 communication between Propounding Party and Responding Party; Responding Party does not  
2 have an obligation to obtain information that is equally available to the Propounding Party.  
3 (Code Civ. Proc. § 2030.220(c).)

4 Responding Party also objects to the defined term “DESCRIBE FULLY” as the request  
5 for the “rental period to which it was intended to be applied” requires speculation on the part  
6 of Responding Party. Responding Party cannot speak to the state of mind of the payee.

7 **SPECIAL INTERROGATORY NO. 7:**

8 If YOU contend that Plaintiff, JENNIFER BURBANK, lacks standing to maintain this  
9 action, state each fact which supports that contention. The term “YOU” means the person to whom  
10 this set of special interrogatories has been propounded.

11 **RESPONSE TO SPECIAL INTERROGATORY NO. 7:**

12 Objection. This interrogatory is vague and ambiguous with respect to the word “action”  
13 which is nowhere defined by Propounding Party. The interrogatory also calls for a legal  
14 conclusion from a lay person.

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

17 Responding Party makes no such contention at this time.

18 Discovery in this matter is ongoing, and Responding Party reserves the right to supplement  
19 or amend this response as this matter progresses.

20 **SPECIAL INTERROGATORY NO. 8:**

21 IDENTIFY each person who is in possession of the PREMISES. The term "IDENTIFY"  
22 means to state his or her full name, residential address, residential telephone number, work or  
23 business address and work or business telephone number. The term "PREMISES" means the real  
24 property that is the subject of this action located at 518 N STONEMAN A VENUE,  
25 ALHAMBRA, CALIFORNIA 91801

26 **RESPONSE TO SPECIAL INTERROGATORY NO. 8:**

27 Objection. The interrogatory is vague as to time and requires speculation on the part of  
28 Responding Party. Responding Party objects that this interrogatory seeks information equally

1 available to Propounding Party, as the interrogatory seeks identification and contact information of  
2 the Plaintiffs; Responding Party does not have an obligation to obtain information that is equally  
3 available to the Propounding Party. (Code Civ. Proc. § 2030.220(c).)

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

6 Responding Party believes Plaintiffs, and their minor children. Responding Party does not  
7 know of additional person(s) in possession as the subject property is currently leased to the  
8 Plaintiffs.

9 Discovery in this matter is ongoing, and Responding Party reserves the right to supplement  
10 or amend this response as this matter progresses.

11 **SPECIAL INTERROGATORY NO. 9:**

12 If it is YOUR contention that the Plaintiff was negligent, state each fact which  
13 supports that contention. The term “YOUR” means the person to whom this set of special  
14 interrogatories has been propounded.

15 **RESPONSE TO SPECIAL INTERROGATORY NO. 9:**

16 Objection. Responding Party also objects to this interrogatory on the grounds that it is  
17 vague, and ambiguous as to the term “negligent.” The interrogatory is further unclear as to which  
18 “Plaintiff” as there are two in the action. Responding Party further objects that this request seeks  
19 information equally available to Propounding Party; Responding Party does not have an obligation  
20 to obtain information that is equally available to the Propounding Party. (Code Civ. Proc. §  
21 2030.220(c).) This interrogatory also seeks premature disclosure of expert opinion in violation of  
22 Code of Civil Procedure sections 2034.210, 2034.220, and 2034.270. This interrogatory seeks to  
23 violate the attorney-client privilege and attorney work product doctrine in violation of California  
24 Code of Civil Procedure sections 2017.010 and 2018.030, and California Evidence Code section  
25 950.

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

28 Plaintiffs have failed to comply with the terms of the lease agreement. Plaintiffs have

1 delayed in reporting perceived and claimed issues as to the PREMISES. Plaintiffs have imposed  
2 unreasonable and unrealistic requirements for communications with the Defendant landlords.  
3 Plaintiffs have refused and/or delayed access for repairs. Plaintiffs made modifications to the  
4 PREMISES without authorization or notice to the Defendant landlords.

5 Discovery in this matter is ongoing, and Responding Party reserves the right to supplement  
6 or amend this response as this matter progresses.

7 **SPECIAL INTERROGATORY NO. 10:**

8 If it is YOUR contention that there were no habitability issues at the PREMISES,  
9 state each fact which supports that contention. The term “YOUR” means the person to whom  
10 this set of special interrogatories has been propounded. The term "PREMISES" means the real  
11 property that is the subject of this action located at 518 N STONEMAN A VENUE,  
12 ALHAMBRA, CALIFORNIA 91801.

13 **RESPONSE TO SPECIAL INTERROGATORY NO. 10:**

14 Objection. Responding Party also objects to this interrogatory on the grounds that it is  
15 vague, and ambiguous as to the phrase “habitability issues.” The interrogatory is vague and  
16 ambiguous as to time as there is none specified. This interrogatory seeks premature disclosure of  
17 expert opinion in violation of Code of Civil Procedure sections 2034.210, 2034.220, and  
18 2034.270. This interrogatory seeks to violate the attorney-client privilege and attorney work  
19 product doctrine in violation of California Code of Civil Procedure sections 2017.010 and  
20 2018.030, and California Evidence Code section 950.

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

23 Defendant landlords have responded to every concern raised by the Plaintiffs, including  
24 sending vendors and repair personnel when warranted, and when access has been permitted.

25 **SPECIAL INTERROGATORY NO. 11:**

26 If it is YOUR contention that YOU do not owe a duty of care to the Plaintiff, state  
27 each fact which supports that contention. The term “YOU” and “YOUR” means the person to  
28 whom this set of special interrogatories has been propounded.

1 **RESPONSE TO SPECIAL INTERROGATORY NO. 11:**

2       Objection. Responding Party also objects to this interrogatory on the grounds that it is  
3 vague, and ambiguous as to the phrase “duty of care.” The interrogatory is further unclear as to  
4 which “Plaintiff” as there are two in the action. This interrogatory also seeks premature disclosure  
5 of expert opinion in violation of Code of Civil Procedure sections 2034.210, 2034.220, and  
6 2034.270. This interrogatory seeks to violate the attorney-client privilege and attorney work  
7 product doctrine in violation of California Code of Civil Procedure sections 2017.010 and  
8 2018.030, and California Evidence Code section 950.

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

11       As Responding Party understands the interrogatory, Responding Party makes no such  
12 contention at this time.

13       Discovery in this matter is ongoing, and Responding Party reserves the right to supplement  
14 or amend this response as this matter progresses.

15 **SPECIAL INTERROGATORY NO. 12:**

16       If it is YOUR contention that Plaintiffs violated lease term 13, including but not  
17 limited to: a. The date(s) of each alleged violation; b. The specific conduct alleged for each  
18 violation; c. The names of all persons involved or with knowledge of each alleged incident; d.  
19 Whether any written notice, warning, or notice to cure was issued to the tenants in relation to the  
20 alleged violation(s); e. The identity and description of each such notice; f. The date on which each  
21 such notice was provided to the tenants; and g. Whether the alleged condition or violation was  
22 ever restored, corrected, or otherwise remedied by the tenants, and if so, the date and manner of  
23 such correction, state each fact which supports that contention.

24 **RESPONSE TO SPECIAL INTERROGATORY NO. 12:**

25       Objection. Responding Party objects that this interrogatory violates California Code of  
26 Civil Procedure §2030.060(d) as not being full and complete in and of itself. This interrogatory  
27 refers to a separate lease term, which is not referenced in this interrogatory, thus the interrogatory  
28 is not complete in itself. Responding Party objects that this interrogatory violates California Code

1 of Civil Procedure §2030.060(f) as it contains subparts. Further, responding to this interrogatory  
2 would necessitate making a compilation or summary of information; and the burden or expense of  
3 preparing or making it would be substantially the same for the interrogating party as for the  
4 responding party. Code Civ. Proc. § 2030.230. This interrogatory also seeks premature disclosure  
5 of expert opinion in violation of Code of Civil Procedure sections 2034.210, 2034.220, and  
6 2034.270. This interrogatory seeks to violate the attorney-client privilege and attorney work  
7 product doctrine in violation of California Code of Civil Procedure sections 2017.010 and  
8 2018.030, and California Evidence Code section 950.

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

11 Pursuant to Code Civ. Proc. § 2030.230, Responding Party refers Propounding Party to the  
12 lease agreement; text messages from June 17, 2024, regarding the discovery of the dog; and  
13 correspondence regarding termination of the Plaintiffs' lease (DEF 000001 – DEF 00046; DEF  
14 000404 – DEF 000410).

15 Discovery in this matter is ongoing, and Responding Party reserves the right to supplement  
16 or amend this response as this matter progresses.

17 **SPECIAL INTERROGATORY NO. 13:**

18 If it is YOUR contention that Plaintiffs violated lease term 17, including but not  
19 limited to: a. The date(s) of each alleged violation; b. The specific conduct alleged for each  
20 violation; c. The names of all persons involved or with knowledge of each alleged incident; d.  
21 Whether any written notice, warning, or notice to cure was issued to the tenants in relation to the  
22 alleged violation(s); e. The identity and description of each such notice; f. The date on which each  
23 such notice was provided to the tenants; and g. Whether the alleged condition or violation was  
24 ever restored, corrected, or otherwise remedied by the tenants, and if so, the date and manner of  
25 such correction, state each fact which supports that contention.

26 **RESPONSE TO SPECIAL INTERROGATORY NO. 13:**

27 Objection. Responding Party objects that this interrogatory violates California Code of  
28 Civil Procedure §2030.060(d) as not being full and complete in and of itself. This interrogatory

1 refers to a separate lease term, which is not referenced in this interrogatory, thus the interrogatory  
 2 is not complete in itself. Responding Party objects that this interrogatory violates California Code  
 3 of Civil Procedure §2030.060(f) as it contains subparts. Further, responding to this interrogatory  
 4 would necessitate making a compilation or summary of information; and the burden or expense of  
 5 preparing or making it would be substantially the same for the interrogating party as for the  
 6 responding party. Code Civ. Proc. § 2030.230. This interrogatory also seeks premature disclosure  
 7 of expert opinion in violation of Code of Civil Procedure sections 2034.210, 2034.220, and  
 8 2034.270. This interrogatory seeks to violate the attorney-client privilege and attorney work  
 9 product doctrine in violation of California Code of Civil Procedure sections 2017.010 and  
 10 2018.030, and California Evidence Code section 950.

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

13 Pursuant to Code Civ. Proc. § 2030.230, Responding Party refers Propounding Party to the  
 14 lease agreement; text messages from May 2024, regarding the discovery of the modification to the  
 15 PREMISES; and correspondence regarding termination of the Plaintiffs' lease. (DEF 000001 –  
 16 DEF 00046; DEF 000404 – DEF 000410).

17 Discovery in this matter is ongoing, and Responding Party reserves the right to supplement  
 18 or amend this response as this matter progresses.

19 **SPECIAL INTERROGATORY NO. 14:**

20 DESCRIBE FULLY when you first observed or became aware of any water damage or  
 21 staining on the ceiling located directly below the upstairs restroom inside the second bedroom.  
 22 The term "DESCRIBE FULLY" means to state the date, how it was discovered, name of the  
 23 individual who made the observation, name of the individual who made you aware and form of  
 24 communication.

25 **RESPONSE TO SPECIAL INTERROGATORY NO. 14:**

26 Objection. Responding Party objects that this interrogatory violates California Code of  
 27 Civil Procedure §2030.060(f) as it is compound. This interrogatory also seeks premature  
 28 disclosure of expert opinion in violation of Code of Civil Procedure sections 2034.210, 2034.220,



1 and 2034.270. This interrogatory seeks to violate the attorney-client privilege and attorney work  
2 product doctrine in violation of California Code of Civil Procedure sections 2017.010 and  
3 2018.030, and California Evidence Code section 950.

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

6 Based upon information and belief, approximately May 2024.

7 Discovery in this matter is ongoing, and Responding Party reserves the right to supplement  
8 or amend this response as this matter progresses

9 **SPECIAL INTERROGATORY NO. 15:**

10 If it is YOUR contention that you ever informed the tenants that the ceiling damage or  
11 water staining located below the upstairs restroom inside the second bedroom was confirmed to  
12 have been caused by the removal of the shower doors, state each fact which supports that  
13 contention.

14 **RESPONSE TO SPECIAL INTERROGATORY NO. 15:**

15 Objection. Responding Party objects that responding to this interrogatory would  
16 necessitate making a compilation or summary of information; and the burden or expense of  
17 preparing or making it would be substantially the same for the interrogating party as for the  
18 responding party. Code Civ. Proc. § 2030.230. This interrogatory also seeks premature disclosure  
19 of expert opinion in violation of Code of Civil Procedure sections 2034.210, 2034.220, and  
20 2034.270. This interrogatory seeks to violate the attorney-client privilege and attorney work  
21 product doctrine in violation of California Code of Civil Procedure sections 2017.010 and  
22 2018.030, and California Evidence Code section 950.

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

25 Pursuant to Code Civ. Proc. § 2030.230, Responding Party refers Propounding Party to  
26 text messages from May 2024, regarding the discovery of the modification to the PREMISES; and  
27 correspondence regarding termination of the Plaintiffs' lease. (DEF 000001 – DEF 00046; DEF  
28 000404 – DEF 000410).

1 Discovery in this matter is ongoing, and Responding Party reserves the right to supplement  
2 or amend this response as this matter progresses.

3 **SPECIAL INTERROGATORY NO. 16:**

4 If it is YOUR contention that you requested or demanded that the tenants pay for or repair  
5 any damage to the ceiling located below the upstairs restroom inside the second bedroom, state  
6 each fact which supports that contention.

7 **RESPONSE TO SPECIAL INTERROGATORY NO. 16:**

8 Objection. Responding Party objects that the interrogatory is vague and ambiguous as to  
9 the term “you” which is nowhere defined by Propounding Party. The interrogatory is further  
10 unlimited as to time.

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

13 Responding Party makes no such contention at this time.

14 Discovery in this matter is ongoing, and Responding Party reserves the right to  
15 supplement or amend this response as this matter progresses.

16 **SPECIAL INTERROGATORY NO. 17:**

17 If it is YOUR contention that any individual or professional ever determined that the  
18 ceiling damage or water staining located below the upstairs restroom inside the second bedroom  
19 was caused by the removal of the shower doors, state each fact which supports that contention.

20 **RESPONSE TO SPECIAL INTERROGATORY NO. 17:**

21 Objection. Responding Party objects that responding to this interrogatory would  
22 necessitate making a compilation or summary of information; and the burden or expense of  
23 preparing or making it would be substantially the same for the interrogating party as for the  
24 responding party. Code Civ. Proc. § 2030.230. This interrogatory also seeks premature disclosure  
25 of expert opinion in violation of Code of Civil Procedure sections 2034.210, 2034.220, and  
26 2034.270. This interrogatory seeks to violate the attorney-client privilege and attorney work  
27 product doctrine in violation of California Code of Civil Procedure sections 2017.010 and  
28 2018.030, and California Evidence Code section 950.

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

3 Pursuant to Code Civ. Proc. § 2030.230, Responding Party refers Propounding Party to  
4 text messages from May 2024, regarding the discovery of the modification to the PREMISES; and  
5 correspondence regarding termination of the Plaintiffs' lease. (DEF 000001 – DEF 00046; DEF  
6 000404 – DEF 000410).

7 Discovery in this matter is ongoing, and Responding Party reserves the right to supplement  
8 or amend this response as this matter progresses.

9 **SPECIAL INTERROGATORY NO. 18:**

10 DESCRIBE FULLY the repair issue involving the leaking pipe in the garage, below the  
11 planters of the patio. The term "DESCRIBE FULLY" means to state: the date you were first made  
12 aware of the issue, each subsequent date you were reminded, notified, or otherwise informed of  
13 the same issue, the method of each communication (e.g., email, phone, text, in-person), the name  
14 of the person who reported or communicated the issue to you, the name of the individual who  
15 responded to each communication, the content of the response or action taken in response to each  
16 communication; and g. The date on which the repair was fully and permanently completed.

17 **RESPONSE TO SPECIAL INTERROGATORY NO. 18:**

18 Objection. Responding Party objects that this interrogatory violates California Code of  
19 Civil Procedure §2030.060(f) as it contains subparts. Further, responding to this interrogatory  
20 would necessitate making a compilation or summary of information; and the burden or expense of  
21 preparing or making it would be substantially the same for the interrogating party as for the  
22 responding party. (Code Civ. Proc. § 2030.230.) This interrogatory also seeks premature  
23 disclosure of expert opinion in violation of Code of Civil Procedure sections 2034.210, 2034.220,  
24 and 2034.270. This interrogatory seeks to violate the attorney-client privilege and attorney work  
25 product doctrine in violation of California Code of Civil Procedure sections 2017.010, and  
26 2018.030, and California Evidence Code section 950. Finally, Responding Party objects to the  
27 phrase "leaking pipe" as vague and ambiguous.

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

1 follows:

2 Pursuant to Code Civ. Proc. § 2030.230, Responding Party refers Propounding Party to the  
3 email correspondence and text messages between the parties, including the communication that  
4 were previously produced by the Plaintiffs.

5 Discovery in this matter is ongoing, and Responding Party reserves the right to supplement  
6 or amend this response as this matter progresses.

7

8 DATED: August 19, 2025

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

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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  
LOTUS PROPERTY MANAGEMENT, INC.

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**VERIFICATION**

I have read the foregoing and know its contents:

**DEFENDANT BRAD MARTINEZ’S RESPONSES TO PLAINTIFF  
JAMES BURBANK’S SPECIAL INTERROGATORIES, 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<br><hr/> Name of Signatory | <div style="text-align: center;"><i>Brad Martinez</i></div> <hr/> Signature |
|--|---|