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Nguyen
7

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF SAN DIEGO, CENTRAL DIVISION**

10 HANG NGUYEN, an individual, doing)
11 business as INAILOLOGY SPA & BAR, a sole)
proprietorship;)
12 PHONG NGUYEN, an individual;)
Plaintiffs,)
13 v.)
14 CALI CONSTRUCTION CO., a business)
15 entity form unknown; WALLY HOA CU, an)
individual; WESCO INSURANCE)
16 COMPANY, a business entity form unknown;)
and DOES 1 through 100,)
17)
18 Defendants.)
19)

Case No.:37-2018-00037895-CU-BC-CTL

Consolidated with Case No.:
37-2018-00050862-CU-BC-CT:

HANG NGUYEN'S SPECIAL
INTERROGATORIES TO WALLY HOA
CU dba CALI CONSTRUCTION
COMPANY
(SET ONE)

20 PROPOUNDING PARTY: HANG NGUYEN

21 RESPONDING PARTY: WALLY HOA CU dba CALI CONSTRUCTION COMPANY

22 SET NO.: One (1)

23 Pursuant to the provisions of California Code of Civil Procedure Sections 2030.010 et
24 seq., Plaintiff HANG NGUYEN ("Plaintiff") submits the following Special Interrogatories to
25 Defendant WALLY HOA CU dba CALI CONSTRUCTION COMPANY ("Defendant") and
26 request that Defendant respond to each interrogatory fully, separately and in writing, under oath
27 and in the manner and time prescribed by California Code of Civil Procedure section 2030.210 et
28 seq.

1 **DEFINITIONS**

2 1. As used herein, the terms “and” and “or” shall be construed both conjunctively and
3 disjunctively, and each shall include the other whenever such dual construction will serve to bring
4 within the scope of the request any facts, witnesses or documents which otherwise would not be
5 within its scope.

6
7 2. As used herein, the singular form shall include the plural and vice versa whenever
8 such dual construction shall serve to bring within the scope of the request any facts, witnesses or
9 documents which otherwise would not be within its scope.

10 3. As used herein, “PLAINTIFFS” shall mean and include Hang Nguyen and Phong
11 Nguyen.

12 **SPECIAL INTERROGATORIES**

13
14 **SPECIAL INTERROGATORY NO. 1**

15 If YOU (“YOU” and “YOUR” means Wally Hoa Cu, also known as Hoa Thai Cu and/or
16 Cu Thai Hoa, individually and doing business as Cali Construction Company, YOUR agents,
17 employees and anyone acting on YOUR behalf) contend that the mechanics lien YOU recorded
18 for work YOU performed at the PROJECT (“PROJECT” means the tenant improvement work
19 YOU performed at the real property located at and commonly known as 2665 5th Avenue, Suite
20 102, San Diego, California, 92103) is not barred by Civil Code Section 8412, state all the facts
21 that support that contention.

22
23 **SPECIAL INTERROGATORY NO. 2**

24 Please IDENTIFY each and every PERSON who has knowledge of any of the facts upon
25 that support YOUR contention that the mechanic’s lien YOU filed for work performed at the
26 PROJECT is not barred by Civil Code Section 8412. (As used herein, “PERSON” shall mean a
27 natural person, firm, association, organization, partnership, business, trust, limited liability
28

1 company, corporation or public entity. As used herein with respect to PERSONS, "IDENTIFY"
2 shall mean to state the PERSON's name, title (if any), current or last known address, and current
3 or last known telephone number.)
4

5 **SPECIAL INTERROGATORY NO. 3**

6 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to any of the
7 facts that support YOUR contention that the mechanic's lien YOU filed for work YOU performed
8 at the PROJECT is not barred by Civil Code Section 8412. (As used herein with respect to
9 DOCUMENTS, "IDENTIFY" shall mean to state the DOCUMENT'S title, author, the date
10 created and who has possession of the DOCUMENT. As used herein, "DOCUMENT" or
11 "DOCUMENTS" means any handwriting, typewriting, facsimile, computer printout, computer
12 database information, computer disk, photocopy, photograph, audiotape, videotape, audio/visual
13 recording and every other means of recording information, including, without limitation, all
14 documents, correspondence, memoranda, records, reports, notes of any kind, letters, telegrams,
15 telexes, messages (including, but not limited to, reports of telephone conversations and
16 conferences), contracts, memoranda of agreement, notes or summaries of personal interviews or
17 conversations, diaries, appointment books, studies, analyses, drafts, balance sheets, work papers,
18 worksheets, tabulations, computations, applications, files, books, magazines, newspapers,
19 booklets, instructions, and all other written, printed or computer-inputted matter of any kind
20 (including, but not limited to, inter- and intra- office communications) and all things that come
21 within the definition of "writing" contained in Section 250 of the California Evidence Code.)
22
23
24

25 **SPECIAL INTERROGATORY NO. 4**

26 IDENTIFY all YOUR employees who performed work at the PROJECT.

27 ///

28

1 **SPECIAL INTERROGATORY NO. 5**

2 IDENTIFY all subcontractors who performed work at the PROJECT.

3 **SPECIAL INTERROGATORY NO. 6**

4 When was the last day YOU performed work at the PROJECT?

5 **SPECIAL INTERROGATORY NO. 7**

6 If YOU contend YOU have not completed YOUR work at the PROJECT, state all facts
7 that support that contention.

8 **SPECIAL INTERROGATORY NO. 8**

9 If YOU contend that work has not ceased at the PROJECT, state all facts that support
10 YOUR contention.

11 **SPECIAL INTERROGATORY NO. 9**

12 When do YOU contend the final occupancy permit for the PROJECT was issued?

13 **SPECIAL INTERROGATORY NO. 10**

14 When do YOU contend work at the PROJECT was completed?

15 **SPECIAL INTERROGATORY NO. 11**

16 If YOU contend that Hang Nguyen owes YOU money for work performed at the
17 PROJECT, state all the facts that support that contention, including the amount YOU contend is
18 owed.

19 **SPECIAL INTERROGATORY NO. 12**

20 If YOU contend that Phong Nguyen owes YOU money for work performed at the
21 PROJECT, state all the facts that support that contention, including the amount YOU contend is
22 owed.

23 ///

1 **SPECIAL INTERROGATORY NO. 13**

2 IDENTIFY all PERSONS with knowledge of facts that support YOUR contention that
3 Hang Nguyen owes YOU money for work performed at the PROJECT.
4

5 **SPECIAL INTERROGATORY NO. 14**

6 IDENTIFY all PERSONS with knowledge of facts that support YOUR contention that
7 Phong Nguyen owes YOU money for work performed at the PROJECT.
8

9 **SPECIAL INTERROGATORY NO. 15**

10 Please IDENTIFY any and all DOCUMENTS that support YOUR contention that Hang
11 Nguyen owes YOU money for work at the PROJECT.
12

13 **SPECIAL INTERROGATORY NO. 16**

14 Please IDENTIFY any and all DOCUMENTS that support YOUR contention that Phong
15 Nguyen owes YOU money for work at the PROJECT.
16

17 **SPECIAL INTERROGATORY NO. 17**

18 Please IDENTIFY all suppliers of materials and supplies used at the PROJECT.
19

20 **SPECIAL INTERROGATORY NO. 18**

21 Please IDENTIFY all independent contractors and PERSONS who performed work at the
22 PROJECT.
23

24 **SPECIAL INTERROGATORY NO. 19**

25 Please state all facts upon which YOU base YOUR first cause of action for Breach of
26 Contract in YOUR COMPLAINT. (As used herein, "COMPLAINT" shall mean and include the
27 complaint filed by Cali Construction Company in San Diego Superior Court Case No. 37-2018-
28 00050882-CU-BC-CTL.)

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1 **SPECIAL INTERROGATORY NO. 20**

2 Please IDENTIFY each and every PERSON who has knowledge of any of the facts upon
3 which YOU base YOUR first cause of action for Breach of Contract in YOUR COMPLAINT.
4

5 **SPECIAL INTERROGATORY NO. 21**

6 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to any of the
7 facts upon which YOU base YOUR first cause of action for Breach of Contract in YOUR
8 COMPLAINT.

9 **SPECIAL INTERROGATORY NO. 22**

10 Please state all facts upon which YOU base YOUR second cause of action for Quantum
11 Meruit/Reasonable Value in YOUR COMPLAINT.
12

13 **SPECIAL INTERROGATORY NO. 23**

14 Please IDENTIFY each and every PERSON who has knowledge of any of the facts upon
15 which YOU base YOUR second cause of action for Quantum Meruit/Reasonable Value in YOUR
16 COMPLAINT.
17

18 **SPECIAL INTERROGATORY NO. 24**

19 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to any of the
20 facts upon which YOU base YOUR second cause of action for Quantum Meruit/Reasonable
21 Value in YOUR COMPLAINT.

22 **SPECIAL INTERROGATORY NO. 25**

23 Please state all facts upon which YOU base YOUR third cause of action for Unjust
24 Enrichment in YOUR COMPLAINT.
25

26 **SPECIAL INTERROGATORY NO. 26**

27 Please IDENTIFY each and every PERSON who has knowledge of any of the facts upon
28

1 which YOU base YOUR third cause of action for Unjust Enrichment in YOUR COMPLAINT.

2 **SPECIAL INTERROGATORY NO. 27**

3 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to any of the
4 facts upon which YOU base YOUR third cause of action for Unjust Enrichment in YOUR
5 COMPLAINT.
6

7 **SPECIAL INTERROGATORY NO. 28**

8 Please state all facts upon which YOU base YOUR fourth cause of action for Foreclosure
9 on Mechanic's Lien in YOUR COMPLAINT.
10

11 **SPECIAL INTERROGATORY NO. 29**

12 Please IDENTIFY each and every PERSON who has knowledge of any of the facts upon
13 which YOU base YOUR fourth cause of action for Foreclosure on Mechanic's Lien in YOUR
14 COMPLAINT.
15

16 **SPECIAL INTERROGATORY NO. 30**

17 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to any of the
18 facts upon which YOU base YOUR fourth cause of action for Foreclosure on Mechanic's Lien in
19 YOUR COMPLAINT.
20

21 **SPECIAL INTERROGATORY NO. 31**

22 Please state all facts upon which YOU base YOUR fifth cause of action for Declaratory
23 Relief in YOUR COMPLAINT.
24

25 **SPECIAL INTERROGATORY NO. 32**

26 Please IDENTIFY each and every PERSON who has knowledge of any of the facts upon
27 which YOU base YOUR fifth cause of action for Declaratory Relief in YOUR COMPLAINT.
28

SPECIAL INTERROGATORY NO. 33

1 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to any of the
2 facts upon which YOU base YOUR fifth cause of action for Declaratory Relief in YOUR
3 COMPLAINT.
4

5 **SPECIAL INTERROGATORY NO. 34**

6 State all the facts upon which YOU base YOUR allegation in paragraph 12 of YOUR
7 COMPLAINT that “On or about September 2017, defendants INAILOLOGY and DOES 1
8 through 20, inclusive, and each of them, entered into an oral contract with Plaintiff, whereby it
9 was agreed that Plaintiff CALI would provide labor, services, equipment and materials for a
10 tenant improvement project at the PROPERTY, located at 2665 5th Avenue, Suite 102, San Diego,
11 California 9103....”
12

13 **SPECIAL INTERROGATORY NO. 35**

14 Please IDENTIFY each and every PERSON who has knowledge of any of the facts upon
15 which YOU base YOUR allegation in paragraph 12 of YOUR COMPLAINT that “On or about
16 September 2017, defendants INAILOLOGY and DOES 1 through 20, inclusive, and each of them,
17 entered into an oral contract with Plaintiff, whereby it was agreed that Plaintiff CALI would
18 provide labor, services, equipment and materials for a tenant improvement project at the
19 PROPERTY, located at 2665 5th Avenue, Suite 102, San Diego, California 9103....”
20

21 **SPECIAL INTERROGATORY NO. 36**

22 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to any of the
23 facts upon which YOU base YOUR allegation in paragraph 12 of YOUR COMPLAINT that “On
24 or about September 2017, defendants INAILOLOGY and DOES 1 through 20, inclusive, and each
25 of them, entered into an oral contract with Plaintiff, whereby it was agreed that Plaintiff CALI
26 would provide labor, services, equipment and materials for a tenant improvement project at the
27
28

1 PROPERTY, located at 2665 5th Avenue, Suite 102, San Diego, California 9103....”

2 **SPECIAL INTERROGATORY NO. 37**

3 Please state each and every fact upon which YOU base YOUR allegation in paragraph 15
4 or YOUR COMPLAINT that, “There is now due, owing and unpaid from said defendants to
5 Plaintiff CALI the principal sum of approximately \$50,926.00.”
6

7 **SPECIAL INTERROGATORY NO. 38**

8 Please IDENTIFY each and every PERSON who has knowledge of any of the facts upon
9 which YOU base YOUR allegation in paragraph 15 or YOUR COMPLAINT that, “There is now
10 due, owing and unpaid from said defendants to Plaintiff CALI the principal sum of approximately
11 \$50,926.00.
12

13 **SPECIAL INTERROGATORY NO. 39**

14 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to any of the
15 facts upon which YOU base YOUR allegation in paragraph 15 or YOUR COMPLAINT that,
16 “There is now due, owing and unpaid from said defendants to Plaintiff CALI the principal sum of
17 approximately \$50,926.00.
18

19 **SPECIAL INTERROGATORY NO. 40**

20 If YOU contend that YOU are owed money “for change orders, extra work, and other
21 damages for costs resulting from delay, disruption and acceleration” as alleged in paragraph 15 of
22 YOUR COMPLAINT, please state each and every fact upon which that contention is based.
23

24 **SPECIAL INTERROGATORY NO. 41**

25 If YOU contend that YOU are owed money “for change orders, extra work, and other
26 damages for costs resulting from delay, disruption and acceleration” as alleged in paragraph 15 of
27 YOUR COMPLAINT, please IDENTIFY each and every PERSON who has knowledge of any of
28

1 the facts upon which that contention is based.

2 **SPECIAL INTERROGATORY NO. 42**

3 If YOU contend that YOU are owed money “for change orders, extra work, and other
4 damages for costs resulting from delay, disruption and acceleration” as alleged in paragraph 15 of
5 YOUR COMPLAINT, please IDENTIFY any and all DOCUMENTS that evidence, refer or relate
6 to any of the facts upon which that contention is based.
7

8 **SPECIAL INTERROGATORY NO. 43**

9 Please IDENTIFY YOUR bank accounts YOU used for payments and deposits related to
10 the PROJECT.
11

12 **SPECIAL INTERROGATORY NO. 44**

13 Please IDENTIFY any and all DOCUMENTS related to your damages in this action.

14 **SPECIAL INTERROGATORY NO. 45**

15 Please state how YOU calculated YOUR damages sought by YOUR COMPLAINT.

16 **SPECIAL INTERROGATORY NO. 46**

17 Please IDENTIFY each and every PERSON who has knowledge of how YOU calculated
18 YOUR damages sought by YOUR COMPLAINT.
19

20 **SPECIAL INTERROGATORY NO. 47**

21 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to YOUR
22 California Mechanics Lien attached as Exhibit 1 to YOUR COMPLAINT.
23

24 **SPECIAL INTERROGATORY NO. 48**

25 Why did YOU allege an oral contract between YOU and Hang Nguyen in YOUR
26 complaint when there is a written “specification contract” attached as Exhibit 1 to the SAC? (As
27 used herein, the “SAC” shall mean and include the Second Amended Complaint filed by plaintiffs
28

1 Hang Nguyen, doing business as Inailology Spa & Bar and Phong Nguyen in San Diego Superior
2 Court Case No. 37-2018-00037895-CU-BC-CTL.)

3 **SPECIAL INTERROGATORY NO. 49**

4 Why did YOU allege an oral contract between YOU and Hang Nguyen in YOUR
5 complaint when there is a written "Tenant and Contractor Mutual Contract" attached as Exhibit 2
6 to the SAC?
7

8 **SPECIAL INTERROGATORY NO. 50**

9 Who prepared the "specification contract" attached as Exhibit 1 to the SAC?

10 **SPECIAL INTERROGATORY NO. 51**

11 Who prepared the "Tenant and Contractor Mutual Contract" attached as Exhibit 2 to the
12 SAC?
13

14 **SPECIAL INTERROGATORY NO. 52**

15 Does YOUR signature appear on Exhibit 1 to the SAC?

16 **SPECIAL INTERROGATORY NO. 53**

17 Does YOUR signature appear on Exhibit 2 to the SAC?

18 **SPECIAL INTERROGATORY NO. 54**

19 Please state each and every fact upon which YOU base YOUR general denial of each
20 statement of the SAC in YOUR ANSWER. (As used herein, "ANSWER" shall mean and include
21 the "ANSWER - Contract" YOU filed in response to the SAC.)
22

23 **SPECIAL INTERROGATORY NO. 55**

24 Please IDENTIFY each and every PERSON who has knowledge of any of the facts upon
25 which YOU base YOUR general denial of each statement of the SAC in YOUR ANSWER.
26

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1 **SPECIAL INTERROGATORY NO. 56**

2 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to any of the
3 facts upon which YOU base YOUR general denial of each statement of the SAC in YOUR
4 ANSWER.
5

6 **SPECIAL INTERROGATORY NO. 57**

7 Please state each and every fact upon which YOU base YOUR affirmative defense
8 "Invalid Contract: Plaintiff forged document and signature" in paragraph 4 of YOUR ANSWER.
9

10 **SPECIAL INTERROGATORY NO. 58**

11 Please IDENTIFY each and every PERSON who has knowledge of any of the facts upon
12 which YOU base YOUR affirmative defense "Invalid Contract: Plaintiff forged document and
13 signature" in paragraph 4 of YOUR ANSWER.
14

15 **SPECIAL INTERROGATORY NO. 59**

16 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to any of the
17 facts upon which YOU base YOUR affirmative defense "Invalid Contract: Plaintiff forged
18 document and signature" in paragraph 4 of YOUR ANSWER.
19

20 **SPECIAL INTERROGATORY NO. 60**

21 Please state each and every fact upon which YOU base YOUR affirmative defense
22 "Breach of Contract: Plaintiff failed to pay dues" in paragraph 4 of YOUR ANSWER.
23

24 **SPECIAL INTERROGATORY NO. 61**

25 Please IDENTIFY each and every PERSON who has knowledge of any of the facts upon
26 which YOU base YOUR affirmative defense "Breach of Contract: Plaintiff failed to pay dues" in
27 paragraph 4 of YOUR ANSWER.
28

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1 **SPECIAL INTERROGATORY NO. 62**

2 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to any of the
3 facts upon which YOU base YOUR affirmative defense "Breach of Contract: Plaintiff failed to
4 pay dues" in paragraph 4 of YOUR ANSWER.
5

6 **SPECIAL INTERROGATORY NO. 63**

7 Please state each and every fact upon which YOU base YOUR affirmative defense
8 "Unclean hands: Plaintiff attempting to benefit from wrongdoing" in paragraph 4 of YOUR
9 ANSWER.
10

11 **SPECIAL INTERROGATORY NO. 64**

12 Please IDENTIFY each and every PERSON who has knowledge of any of the facts upon
13 which YOU base YOUR affirmative defense "Unclean hands: Plaintiff attempting to benefit from
14 wrongdoing" in paragraph 4 of YOUR ANSWER.
15

16 **SPECIAL INTERROGATORY NO. 65**

17 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to any of the
18 facts upon which YOU base YOUR affirmative defense "Unclean hands: Plaintiff attempting to
19 benefit from wrongdoing" in paragraph 4 of YOUR ANSWER.
20

21 **SPECIAL INTERROGATORY NO. 66**

22 Please state each and every fact upon which YOU base YOUR affirmative defense "Unjust
23 enrichment: Plaintiff would receive more money than deserves if wins" in paragraph 4 of YOUR
24 ANSWER.
25

26 **SPECIAL INTERROGATORY NO. 67**

27 Please IDENTIFY each and every PERSON who has knowledge of any of the facts upon
28 which YOU base YOUR affirmative defense "Unjust enrichment: Plaintiff would receive more

1 money than deserves if wins” in paragraph 4 of YOUR ANSWER.

2 **SPECIAL INTERROGATORY NO. 68**

3 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to any of the
4 facts upon which YOU base YOUR affirmative defense “Unjust enrichment: Plaintiff would
5 receive more money than deserves if wins” in paragraph 4 of YOUR ANSWER.
6

7 **SPECIAL INTERROGATORY NO. 69**

8 Please state each and every fact upon which YOU base YOUR affirmative defense
9 “Standing: Plaintiff is not the actual owner of the business” in paragraph 4 of YOUR ANSWER.
10

11 **SPECIAL INTERROGATORY NO. 70**

12 Please IDENTIFY each and every PERSON who has knowledge of any of the facts upon
13 which YOU base YOUR affirmative defense “Standing: Plaintiff is not the actual owner of the
14 business” in paragraph 4 of YOUR ANSWER.

15 **SPECIAL INTERROGATORY NO. 71**

16 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to any of the
17 facts upon which YOU base YOUR affirmative defense “Standing: Plaintiff is not the actual
18 owner of the business” in paragraph 4 of YOUR ANSWER.
19

20 **SPECIAL INTERROGATORY NO. 72**

21 Please state each and every fact upon which YOU base YOUR affirmative defense “Public
22 Policy: Plaintiff installed illegal equipment that the defendant will take no responsibility for” in
23 paragraph 4 of YOUR ANSWER.
24

25 **SPECIAL INTERROGATORY NO. 73**

26 Please IDENTIFY each and every PERSON who has knowledge of any of the facts upon
27 which YOU base YOUR affirmative defense “Public Policy: Plaintiff installed illegal equipment
28

1 that the defendant will take no responsibility for” in paragraph 4 of YOUR ANSWER.

2 **SPECIAL INTERROGATORY NO. 74**

3 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to any of the
4 facts upon which YOU base YOUR affirmative defense “Public Policy: Plaintiff installed illegal
5 equipment that the defendant will take no responsibility for” in paragraph 4 of YOUR ANSWER.
6

7 **SPECIAL INTERROGATORY NO. 75**

8 What documents do you contend are forgeries in this case?

9 **SPECIAL INTERROGATORY NO. 76**

10 What signatures do you contend are forgeries in this case?

11 **SPECIAL INTERROGATORY NO. 77**

12 What is the wrongdoing that Plaintiff is attempting to benefit from as alleged in paragraph
13 4 of YOUR ANSWER?
14

15 **SPECIAL INTERROGATORY NO. 78**

16 What is the illegal equipment that was installed as alleged in paragraph 4 of YOUR
17 ANSWER?
18

19 **SPECIAL INTERROGATORY NO. 79**

20 Please IDENTIFY any and all DOCUMENTS that refer or relate to any of the parties to
21 this consolidated case.

22 **SPECIAL INTERROGATORY NO. 80**

23 Please IDENTIFY all the DOCUMENTS that evidence, refer or relate to the PROJECT.

24 **SPECIAL INTERROGATORY NO. 81**

25 Please IDENTIFY all DOCUMENTS that evidence, refer or relate to any emails or texts
26 related to the PROJECT.
27
28

1 **SPECIAL INTERROGATORY NO. 82**

2 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to YOUR
3 insurance related to the PROJECT.

4 **SPECIAL INTERROGATORY NO. 83**

5 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to the
6 PROJECTS plans and specifications.

7 **SPECIAL INTERROGATORY NO. 84**

8 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to any
9 payments YOU received on the PROJECT.

10 **SPECIAL INTERROGATORY NO. 85**

11 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to any
12 payments YOU made on the PROJECT.

13 **SPECIAL INTERROGATORY NO. 86**

14 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to any
15 personnel that worked on the PROJECT.

16 **SPECIAL INTERROGATORY NO. 87**

17 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to any change
18 orders on the PROJECT.

19 **SPECIAL INTERROGATORY NO. 88**

20 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to any
21 inspections and permitting on the PROJECT.

22 **SPECIAL INTERROGATORY NO. 89**

23 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to YOUR
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25
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1 scope of work on the PROJECT.

2 **SPECIAL INTERROGATORY NO. 90**

3 Did YOU warranty YOUR work at the PROJECT?

4 **SPECIAL INTERROGATORY NO. 91**

5 Please describe YOUR warranty of YOUR work at the PROJECT.

6 **SPECIAL INTERROGATORY NO. 92**

7 Please IDENTIFY any and all DOCUMENTS that evidence, refer or relate to YOUR
8 warranty on the PROJECT.

9 Dated: October 25, 2019

MILTNER & MENCK, APC

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12
13 By:


William L. Miltner, Esq.

Robert C. Harvey, Esq.

Attorneys for Plaintiffs

HANG NGUYEN and PHONG NGUYEN

1 William L. Miltner, Esq. SBN 139097
Robert C. Harvey, Esq. SBN 159224
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5

6 Attorney for Plaintiffs Hang Nguyen and Phong
Nguyen
7

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF SAN DIEGO, CENTRAL DIVISION**

10 HANG NGUYEN, an individual, doing)
11 business as INAILOLOGY SPA & BAR, a sole)
proprietorship;)
12 PHONG NGUYEN, an individual;)

13 Plaintiffs,)

14 v.)

15 CALI CONSTRUCTION CO., a business)
entity form unknown; WALLY HOA CU, an)
16 individual; WESCO INSURANCE)
COMPANY, a business entity form unknown;)
and DOES 1 through 100,)
17)

18 Defendants.)
19)

Case No.:37-2018-00037895-CU-BC-CTL

Consolidated with Case No.:
37-2018-00050862-CU-BC-CT:

DECLARATION OF ROBERT C.
HARVEY IN SUPPORT OF
ADDITIONAL SPECIAL
INTERROGATORIES PROPOUNDED
TO DEFENDANT WALLY HOA CU
DBA CALI CONSTRUCTION CO.
(SET ONE)

20 I, Robert C. Harvey, declare:

21 1. I am an attorney licensed by the State of California and am an associate of Miltner
22 & Menck, APC, presently the attorneys of record for Plaintiffs Hang Nguyen and Phong Nguyen

23 2. I am propounding to DEFENDANT WALLY HOA CU dba CALI
24 CONSTRUCTION CO. the attached set of Special Interrogatories.

25 3. This set of Special Interrogatories will cause the total number requests propounded
26 to the party to whom they are directed to exceed the number of requests permitted by section
27 2030.030 of the California Code of Civil Procedure.

28 4. Our firm has previously propounded a total of 0 Special Interrogatories to this

1 party.

2 5. This set of interrogatories contains a total of 92 specially prepared interrogatories.

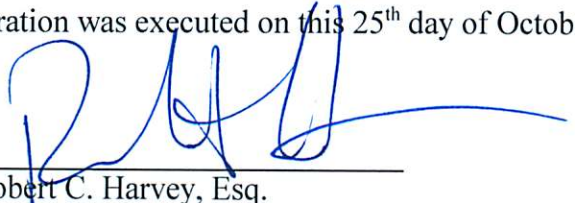
3 6. I am familiar with the issues and the previous discovery conducted by all parties in
4 this case.

5 7. I have personally examined each of the questions in this set of interrogatories.

6 8. The number of questions is warranted under section 2030.040 of the California
7 Code of Civil Procedure because of the nature of the allegations, the nature of the conduct in
8 dispute and the existing and potential issues presented in this proceeding, and the expedience of
9 using this method of discovery to provide to responding party the opportunity to conduct an
10 inquiry, investigation, and search of files and records to supply the information sought.

11 9. None of the questions in this set of interrogatories is being propounded for any
12 improper purpose such as to harass Defendant or the attorney for the Defendant, to whom it is
13 directed, or to cause unnecessary delay or needless increase in the cost of litigation.

14 I declare under penalty of perjury under the laws of the State of California that the
15 foregoing is true and correct and that this declaration was executed on this 25th day of October
16 2019 at San Diego, California.

17 
18 Robert C. Harvey, Esq.
19 Attorneys for Plaintiffs
20 HANG NGUYEN and PHONG NGUYEN
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