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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF TULARE, VISALIA DIVISION

ROSEMARIE TORRES, an individual,)	Case No. VCU284821
)	
Plaintiff,)	DEFENDANT DAVID CHARLES
)	WENDT'S REQUESTS FOR
vs.)	INSPECTION OF DOCUMENTS AND
)	THINGS TO PLAINTIFF
DAVID CHARLES WENDT, an individual,)	ROSEMARIE TORRES, SET ONE
NUTRINUT, INC., A CALIFORNIA)	
CORPORATION,)	[CCP § 2031.010 et seq.]
SIERRA NUT COMPANY, INC.,)	
DOES 1-20, inclusive,)	
)	
Defendant.)	

PROPOUNDING: Defendant, DAVID CHARLES WENDT
RESPONDING: Plaintiff, ROSEMARIE TORRES
SET: ONE

YOU ARE HEREBY REQUESTED under California Code of Civil Procedure section 2031.010, et seq., to provide this propounding party with a list and identifying description of all documents, papers, books, accounts, letters, photographs, objects or other tangible things specified herein that are in your possession or control.

YOU ARE ALSO HEREBY REQUESTED under California Code of Civil

Procedure section 2031.010, et seq., to produce for inspection and copying, the documents identified in your written response. The documents shall be produced and sent to 2222 West Main Street, Visalia, California 93291 within 35 days from the date of the mailing of this request.

INSTRUCTIONS

The following definitions and instructions are to be considered applicable with respect to each demand for production of documents contained herein.

A. The term “DOCUMENTS” shall be understood to apply to any record or communication, including records of any telephonic communications, that would be a “writing,” “recording,” or “photograph,” as provided by California Evidence Code section 250, and shall include, without limitation, originals, duplications, or copies (with or without notes or changes thereon), drafts, working papers, writing slips, and similar materials, as well as electronically transmitted or stored information (defined in California Code of Civil Procedure, section 2016020).

B. Time Period. Unless otherwise specified, each request in this set applies to the period beginning on October 29, 2016 and continuing to the present.

C. Construction of Conjunctives. The conjunctives “and” and “or” as used herein shall be construed both conjunctively and disjunctively, and each shall include the other wherever such dual construction will serve to bring within the scope of this Request any documents that would otherwise not be brought within the scope.

D. Possession, Custody and Control. Each request extends to any document in the possession, custody or control of the Responding Party. A document is to be deemed in the possession, custody or control of the Responding Party if it is in the physical custody of the Responding Party or if it is in the physical custody of any other company or person affiliated or representing the Responding Party and the Responding Party:

(1) owns such document in whole or party;

(2) has a right, by contract, statute or otherwise to use, inspect, examine or copy such documents on any terms;

(3) has an understanding, express or implied, that the Responding Party may use, inspect, examine or copy such document on any terms; and

(4) has as a practical matter, been able to use, inspect, examine or copy such document when the Responding Party sought to do so.

E. Documents Not Produced. Whenever a document is not produced in full, please state with particularity the reason it is not being produced in full, and describe, to the best of your knowledge, information and belief and with as much particularity as possible, those portions of the documents which are not produced.

F. Identification of a Privilege. Whenever a claim of privilege is asserted to the production of the document, with respect to each such document, state the following information:

(1) its nature (e.g., letter, memorandum, photograph, tape, etc.);

(2) the day it was prepared;

(3) the date it bears;

(4) the date it was sent;

(5) the date it was received;

(6) the identity of the person sending it;

(7) the identity of each person to whom it was sent;

(8) the identity of the person preparing it;

(9) a statement of the subject matter of the document; and

(10) a precise description of the place where said document is kept, including

(a) the title and description of the file in which said document may be

1 found; and

2 (b) the exact location of said files.

3 Pursuant to California Code of Civil Procedure section 2031.010 et seq.,
4 **Propounding Party hereby demands that Responding Party produce for inspection,**
5 **review and photocopying any and all of the following described documents:**

6 **Demand for Inspection No. 1.** All DOCUMENTS identified in YOUR responses
7 to Special Interrogatories, Set ONE. (“YOU” and “YOUR” mean Rosemarie Torres and
8 any other PERSON acting on her behalf. “PERSON” or “PERSONS” includes natural
9 person, firm, associations, organization, partnership, business trust, corporation, or public
10 entity.)

11 **Demand for Inspection No. 2.** All DOCUMENTS identified in YOUR responses
12 to Form Interrogatories – General. (“YOU” and “YOUR” mean Rosemarie Torres and any
13 other PERSON acting on her behalf. “PERSON” or “PERSONS” includes natural person,
14 firm, associations, organization, partnership, business trust, corporation, or public entity.)

15 **Demand for Inspection No. 3.** All DOCUMENTS identified in YOUR responses
16 to Form Interrogatories - Employment. (“YOU” and “YOUR” mean Rosemarie Torres and
17 any other PERSON acting on her behalf. “PERSON” or “PERSONS” includes natural
18 person, firm, associations, organization, partnership, business trust, corporation, or public
19 entity.)

20 **Demand for Inspection No. 4.** All DOCUMENTS identified in YOUR Requests
21 for Admission, Set One. (“YOU” and “YOUR” mean Rosemarie Torres and any other
22 PERSON acting on her behalf. “PERSON” or “PERSONS” includes natural person, firm,
23 associations, organization, partnership, business trust, corporation, or public entity.)

24 **Demand for Inspection No. 5.** All DOCUMENTS identified in YOUR Complaint
25 in this case. (“YOU” and “YOUR” mean Rosemarie Torres and any other PERSON acting


1 on her behalf. "PERSON" or "PERSONS" includes natural person, firm, associations,
2 organization, partnership, business trust, corporation, or public entity.)

3 **Demand for Inspection No. 6.** All DOCUMENTS related to YOUR workers
4 compensation claim against some or all of the Defendants in this case. ("YOU" and
5 "YOUR" mean Rosemarie Torres and any other PERSON acting on her behalf.
6 "PERSON" or "PERSONS" includes natural person, firm, associations, organization,
7 partnership, business trust, corporation, or public entity.)

8 **Demand for Inspection No. 7.** All DOCUMENTS related to your unemployment
9 claim in the year 2020. ("YOU" and "YOUR" mean Rosemarie Torres and any other
10 PERSON acting on her behalf. "PERSON" or "PERSONS" includes natural person, firm,
11 associations, organization, partnership, business trust, corporation, or public entity.)

12 DATED: January 15, 2020

13 **Williams, Brodersen, Pritchett & Burke LLP**

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15 By 
16 Russell P. Burke
17 Michael B. Brown
18 Attorneys for Defendants
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