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Attorneys for Defendant, DESERT AUTO GROUP V, LLC

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN DIEGO, CENTRAL DIVISION

CHRISTOPHER HAO-KEPPEL, on behalf of
the State of California, as a private attorney
general,

Plaintiff,

v.

DESERT AUTO GROUP V, LLC, a California
Limited Liability Company; and DOES 1-25,
inclusive,

Defendant.

Case No.: 37-2022-00044571-CU-OE-CTL

**DEFENDANT'S RESPONSE TO
PLAINTIFF'S REQUEST FOR
PRODUCTION OF DOCUMENTS, SET
NO. SIX (ERRONEOUSLY NUMBERED
SET FIVE)**

IMAGED FILE

Judge: Hon. Michael T. Smyth
Dept.: C-67
Complaint Filed: November 3, 2022
Trial Date: May 23, 2025

PROPOUNDING PARTY: CHRISTOPHER HAO-KEPPEL

RESPONDING PARTY: DESERT AUTO GROUP V, LLC

SET NUMBER: SIX

PRELIMINARY STATEMENT

These responses are made solely for the purpose of, and in relation to, this action. Each answer is given subject to all appropriate objections (including but not limited to objections concerning competency, relevance, materiality, propriety and admissibility) which would require the exclusion of any statement contained herein if the Request were asked of, or if any statement contained herein were made by, a witness present and testifying in Court. All such objections and grounds therefore are reserved and may be interposed at time of trial.

1 Responding party further objects to the Requests for Production to the extent that they seek
2 production of documents (or information) that are (is) privileged under the attorney-client
3 privilege, attorney work product doctrine or any other applicable privilege.

4 The party on whose behalf the responses are given has not yet completed its investigation
5 of the facts relating to this action, has not yet completed its discovery in this action, and has not
6 yet completed its preparation for trial. Consequently, the following answers are given without
7 prejudice to the answering party's right to produce, at the time of trial, subsequent discovery
8 considered to be material.

9 Except for facts explicitly admitted herein, no admission of any nature whatsoever is to be
10 implied or inferred. The fact that any Request herein has been responded should not be taken as
11 an admission, or a concession of the existence, of any facts set forth or assumed by such Request,
12 or that such answer constitutes evidence of any facts thus set forth or assumed. All responses must
13 be construed as given on the basis of present recollection.

14 It is anticipated that further discovery, independent investigation, legal research and
15 analysis will supply additional facts, add meaning to the known facts, as well as establish entirely
16 new factual conclusions and legal conclusions, all of which may lead to substantial additions to,
17 changes in, and variations from the contentions herein set forth.

18 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 56:**

19 All emails to CHRISTOPHER HAO-KEPPEL from DESERT AUTO GROUP V, LLC
20 regarding his compensation.

21 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 56:**

22 After a diligent search and reasonable inquiry, responding party is unable to comply with
23 this demand at this time because all such emails, if any there were, are believed to have been
24 purged due to retention periods. Responding party is continuing to inquire and will supplement
25 this response should it uncover any responsive emails.

26 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 57:**

27 All emails to CHRISTOPHER HAO-KEPPEL from DESERT AUTO GROUP V, LLC
28 referencing the vehicle's he financed.

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 57:

After a diligent search and reasonable inquiry, responding party is unable to comply with this demand at this time because all such emails, if any there were, are believed to have been purged due to retention periods. Responding party is continuing to inquire and will supplement this response should it uncover any responsive emails.

REQUEST FOR PRODUCTION OF DOCUMENTS NO. 58:

All emails to CHRISTOPHER HAO-KEPPEL from DESERT AUTO GROUP V, LLC regarding his payroll.

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 58:

After a diligent search and reasonable inquiry, responding party is unable to comply with this demand at this time because all such emails, if any there were, are believed to have been purged due to retention periods. Responding party is continuing to inquire and will supplement this response should it uncover any responsive emails.

REQUEST FOR PRODUCTION OF DOCUMENTS NO. 59:

A copy of CHRISTOPHER HAO-KEPPEL's salespersons license in effect during his employment at DESERT AUTO GROUP V, LLC.

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 59:

After a diligent search and reasonable inquiry, responding party is unable to comply with this demand because it did not retain a copy of the requested license due to retention periods.

REQUEST FOR PRODUCTION OF DOCUMENTS NO. 60:

A copy of the salesperson license for each finance manager employed by DESERT AUTO GROUP V, LLC between August 10, 2021 through to the present date.

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 60:

Objection. Overbroad. Vague and ambiguous. Not relevant or reasonably calculated to lead to discovery of admissible evidence.

REQUEST FOR PRODUCTION OF DOCUMENTS NO. 61:

All time edit reports for Pablo Amador's time clock entries.

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1 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 61:**

2 Objection. Vague and ambiguous. Without waiving said objection(s), responding party
3 responds as follows: None are known to have ever existed.

4 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 62:**

5 All time edit reports for Pablo Amador's time clock entries.

6 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 62:**

7 Objection. Vague and ambiguous. Duplicative and cumulative. Asked and answered.

8 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 63:**

9 All time edit reports for the employees under the supervision Kamran Syed.

10 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 63:**

11 Objection. Vague and ambiguous. Without waiving said objection(s), responding party
12 responds as follows: None are known to have ever existed.

13
14 Dated: January 10, 2025

McDOUGAL BOEHMER FOLEY LYON
MITCHELL & ERICKSON

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16
17 By: 

18 Steven E. Boehmer
19 Matthew A. Thurmer
20 Attorneys for Defendant, DESERT AUTO GROUP
21 V LLC
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1 **Hao-Keppel v. Desert Auto Group V, LLC, et al.**

Case No.: 37-2022-00044571-CU-OE-CTL

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3 **PROOF OF SERVICE**


4 At the time of service, I was over 18 years of age and not a party to this action. My business address is
5 8100 La Mesa Blvd., Suite 200, La Mesa, California, 91942. On January 10, 2025, I served the following
6 document(s): **DEFENDANT'S RESPONSE TO SPECIAL INTERROGATORIES, SET NO. FOUR**; and
7 **DEFENDANT'S RESPONSE TO PLAINTIFF'S REQUEST FOR PRODUCTION OF DOCUMENTS,**
8 **SET NO. SIX (ERRONEOUSLY NUMBERED SET FIVE)**, to the following parties:

9 ARTHUR R. BOTHAM, JR. (#203072) 10 LAW OFFICES OF ARTHUR R. BOTHAM 2169 First Avenue San Diego, California 92101 11 Phone: (619) 358-9738/Fax: (619) 393-0103 Email: artbotham@gmail.com	ZACHARY T. TYSON (#211185) LAW OFFICE OF ZACHARY T. TYSON ALC 2169 First Avenue San Diego, California 92101 Phone (619) 237-9292 Email: ztaylortyson@yahoo.com
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12 Attorneys for CHRISTOPHER HAO-KEPPEL and the Aggrieved Employees under PAGA, on behalf of
13 themselves, all others similarly situated, and on behalf of the general public

14 <input type="checkbox"/>	By United States mail (Certified, Return Receipt). I enclosed the documents in a sealed envelope 15 or package addressed to the persons at the addresses other than 8100 La Mesa Blvd., Suite 200, La 16 Mesa, California, 91942. I placed the envelope for collection and mailing, following our ordinary 17 business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
18 <input type="checkbox"/>	By personal service. I caused said documents to be hand-delivered to the addressee(s) on January 10, 2025, via Battle Attorney Service, pursuant to Code of Civil Procedure §1011.
19 <input checked="" type="checkbox"/>	By e-mail or electronic transmission. Based on a court order or an agreement of the parties to accept 20 service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e- 21 mail addresses listed below by 5:00 p.m. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

22 I declare under penalty of perjury under the laws of the State of California that the above is true and
23 correct and that this proof of service was executed on January 10, 2025, in La Mesa, California.

24 
25 Amy Blake
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