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17 Attorneys for Plaintiffs

18 SUPERIOR COURT OF THE STATE OF CALIFORNIA

19 COUNTY OF ALAMEDA

20 GENERAL JURISDICTION (UNLIMITED)

21 THE PEOPLE OF THE STATE OF
22 CALIFORNIA, *ex rel.* CAROL
23 SPOONER, et al.,

24 Plaintiffs,

25 vs.

26 PACIFICA FOUNDATION, a
27 California non-profit public benefit
28 corporation and charitable trust, et al.,

Defendants.

Case No. 831252-3

**PLAINTIFFS' DEMAND FOR
PRODUCTION OF DOCUMENTS, SET
NO. ONE**

PROPOUNDING PARTY: Plaintiffs Spooner, et al.

RESPONDING PARTY: Defendant Pacifica Foundation

SET NO.: ONE (1)

DEMAND IS HEREBY MADE pursuant to CCP §2031 that you produce and permit

1 inspection and copying of the documents within your possession, custody or control described in
2 "Attachment 1", at 7 Guisela Court, Novato, California, on March 28, 2001, and continuing so
3 long as reasonably required.

4 Pursuant to CCP §2031(g) you are further requested, within 30 days of service of this
5 demand for production, to provide a written response separately to each item or category of item
6 demanded a statement that you will comply with the particular demand, a representation that you
7 lack the ability to comply with the demand, or an objection to the demand. Your response shall
8 be signed under oath, unless the response contains only objections, by an officer or agent of
9 Pacifica Foundation.

10
11 Dated: February 26, 2001

AREN'T FOX KINTNER PLOTKIN & KAHN and
BARTLEY LAW OFFICES

12
13 ATTORNEYS FOR PLAINTIFFS

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15 By: _____
16 Daniel Robert Bartley

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19 Demand for Production of Documents, Set One
20 "Attachment 1."

21 Instructions

22 A statement that the defendant will comply with the particular demand shall state that
23 the production, inspection, and copying will be allowed either in whole or in part, and that all
24 documents or things in the demanded category that are in the possession, custody, or control of
25 that party and to which no objection is being made will be included in the production.
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27 Any documents demanded shall either be produced as they are kept in the usual course
28 of business, or be organized and labeled to correspond with the categories in the demand. If

1 necessary, the responding party, at the reasonable expense of the demanding party shall, through
2 detection devices, translate any data compilations included in the demand into reasonably usable
3 form.

4 A representation of inability to comply with a particular demand shall affirm that a
5 diligent search and a reasonable inquiry has been made in an effort to comply with that demand.
6 This statement shall also specify whether the inability to comply is because the particular item or
7 category has never existed, has been destroyed, has been lost, misplaced, or stolen, or has never
8 been, or is no longer, in the possession, custody, or control of the defendant.

9 If your response is that the documents are not in your possession, control or custody,
10 describe in detail the unsuccessful efforts you made to locate the records. The statement shall
11 set forth the name and address of any natural person or organization known or believed by the
12 defendant to have possession, custody, or control of that item or category of item.

13
14 If only part of an item or category of item in an inspection demand is objectionable, the
15 response shall contain a statement of compliance, or a representation of inability to comply with
16 respect to the remainder of that item or category. If the defendant objects to the demand for
17 inspection of an item or category of item, the response shall (A) identify with particularity any
18 document or tangible thing falling within any category of item in the demand to which an
19 objection is being made, and (B) set forth clearly the extent of, and the specific ground for, the
20 objection. If an objection is based on a claim of privilege, the particular privilege invoked shall
21 be stated. If an objection is based on a claim that the information sought is protected work
22 product under Section 2018, that claim shall be expressly asserted.
23

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25 Definitions

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27 1. **Documents:** In responding to these demands, the term “documents” means all
28 writings of any kind, including the originals and all non-identical copies, whether different from

effect at all time periods from January 1, 1975 to current.

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Dated: February 26, 2001

ARENT FOX KINTNER PLOTKIN & KAHN and
BARTLEY LAW OFFICES

ATTORNEYS FOR PLAINTIFFS

By: _____
Daniel Robert Bartley

PROOF OF SERVICE

1 The undersigned declares he/she is employed in the county of Marin, State of California, by
2 Daniel Robert Bartley Law Offices, P.O. Box 686, Novato, CA, 94948-0686. I am over the age
3 of 18 and not a party to this action. On today's date, I served, true and correct copies of
4 **"PLAINTIFFS' DEMAND FOR PRODUCTION OF DOCUMENTS, SET
5 NO. ONE"** by placing such in sealed envelopes addressed as follows:

6 Daniel Rapaport, Esq.
7 Wendel, Rosen, Black & Dean, LLP
8 1111 Broadway, 24th Floor
9 Oakland, CA 94607
10 [Tel 510 834 6600 Fax 510 834 1928]
11 [E-mail drapaport@wendel.com]

12 I then this day personally served such documents upon Defendants' local counsel Daniel
13 Rapaport.

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 Decl. was executed on this 26th day of February, 2001,
16 at Novato, California.

17 _____
18 Daniel Robert Bartley
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