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FILING FEE EXEMPT PURSUANT TO GOVERNMENT CODE § 6103

CITY ATTORNEY
2010 FEB 18 PM 2:19

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES – CENTRAL DISTRICT

CHRISTOPHER LEE DUNN, Plaintiff, v. BURBANK POLICE DEPARTMENT, CITY OF BURBANK, and DOES 1 Through 100, Inclusive, Defendants.	Case No. BC 417928 Assigned to the Honorable Alan S. Rosenfield, Dept. 31 Complaint filed: July 16, 2009 DECLARATION OF ROBERT J. TYSON IN SUPPORT OF MOTION TO COMPEL FURTHER INTERROGATORY RESPONSES (Motion to Compel Further Interrogatory Responses, Separate Statement of Special Interrogatories and Form Interrogatories and Responses in Dispute, and [Proposed] Order filed concurrently herewith) DATE: June 10, 2010 TIME: 8:30 a.m. DEPT.: 31

2-11-10

DECLARATION OF ROBERT J. TYSON

I, Robert J. Tyson hereby declare:

1. I am an attorney at law, duly licensed and admitted to practice before the courts of this State, and I am a partner with the firm of Burke, Williams & Sorensen, LLP, counsel of record for defendant City of Burbank ("City"), in this litigation. As such, I have personal knowledge of the facts set forth in this Declaration, and if called as a witness I could and would competently testify to those facts under oath.

2. On September 16, 2009, I caused to be served on plaintiff, along with other written discovery requests, City's first set of special interrogatories and City's form interrogatories – employment law (set one) (herein the "Interrogatories"). The Interrogatories in issue all seek specific information regarding plaintiff's contentions in this lawsuit. A true and correct copy of Defendant City of Burbank's First Set of Special Interrogatories to Plaintiff is attached hereto as Exhibit A. A true and correct copy of Defendant City of Burbank's Form Interrogatories – Employment Law (set one) to Plaintiff is attached hereto as Exhibit B.

3. Plaintiff's counsel requested and was granted one extension to respond to City's discovery. That extension ran up to and including November 5, 2009. A true and correct copy of a letter dated October 21, 2009 from plaintiff's counsel memorializing the discovery deadline is attached hereto as Exhibit C

4. Plaintiff did not respond on November 5, 2009. On or about November 16, 2009, my partner Kristin Pelletier sent Plaintiff a meet and confer letter noting the missed deadline. A true and correct copy of this letter is attached hereto as Exhibit D.

5. Eventually plaintiff served his responses to the Interrogatories on November 23, 2009. A true and correct copy of plaintiff's responses to City of Burbank's First Set of Special Interrogatories to Plaintiff is attached hereto as Exhibit E. A true and correct copy of plaintiff's responses to Defendant City of Burbank's Form Interrogatories – Employment Law (set one) to Plaintiff is attached hereto as Exhibit F.

6. I reviewed the responses and determined a) that plaintiff was mainly objecting to the interrogatories even though plaintiff had waived such objections, b) that plaintiff's objections

were without merit, and c) that many of the responses improperly reiterated the allegations in the complaint without actually responding to the interrogatories being posed.

7. On or about November 30, 2009, Ms. Pelletier sent a meet and confer letter to plaintiff's counsel regarding the deficient discovery responses. A true and correct copy of that letter is attached hereto as Exhibit G.

8. On or about December 23, 2009, I sent a meet and confer e-mail (following up on Ms. Pelletier's letter) to plaintiff's counsel regarding the deficient discovery responses. A true and correct copy of the e-mail string relating to this meet and confer process is attached hereto as Exhibit H.

9. In response, On December 24, 2009, plaintiff's counsel e-mailed me back and informed me that plaintiff's counsel's associate who was working on the responses was out of the office through the new year. Plaintiff's counsel granted a 30 day extension to file a motion to compel.

10. On January 11, 2010 I again e-mailed plaintiff's counsel asking if there would be further follow-up on the discovery at issue. Plaintiff's counsel responded on January 12, 2010. More e-mail exchanges followed and on January 23, 2010 plaintiff's counsel granted another extension, through February 15, 2010 in which to file any discovery motion related to the discovery at issue. Plaintiff also stated that City would "have a response the beginning of next week." See Exhibit H.

11. On February 1, 2010, plaintiff's counsel sent a letter stating that they would stand by their previous responses. A true and correct copy of this letter is attached hereto as Exhibit I.

12. On February 3, 2010, plaintiff's counsel filed a motion to be relieved of their waiver of their objections apparently anticipating our motion to compel.

13. My client has been forced to bring this motion to acquire information that plaintiff improperly refused to provide in the normal course discovery. City will also been forced to file an opposition to plaintiff's motion to relieve them of their waiver of objections in order to compel further responses to its Interrogatories.

///

14. I or attorneys working with me have spent over twenty (20) hours on this dispute which is the subject of the concurrently filed motions for further responses to the special interrogatories, the form interrogatories, and the request for production (beginning with the drafting of the November 30, 2009 meet and confer letter and continuing thereafter with telephone calls and e-mails with plaintiff's counsel, and plaintiff's failure to provide supplemental responses when agreed, drafting the declaration for the motion, the accompanying motion and sanctions requests, the separate statements of questions and answers in dispute, and the proposed order, and setting up the hearing. I or attorneys working with me have spent in excess of 3.2 hours on the meet and confer process, and in excess of 17.5 hours preparing the motion for the Interrogatories, separate statement and proposed order. In addition, I anticipate that I will spend an additional 6.0 hours reviewing plaintiff's oppositions to all of the motions, drafting the reply briefs, and appearing at the hearing on the motions. My firm is paid a blended rate of $295 per hour for attorney services on behalf of City. Accordingly, City will have incurred at least $7,670.00 in fees and costs as a result of plaintiff's refusal to comply with his discovery obligations. City therefore requests sanctions in the total amount of $7,670.00.

15. The parties met and conferred before this motion was filed as demonstrated by the November 30, 2009 meet and confer letter (Exhibit H) and the e-mails confirming extensions requested by plaintiff's counsel to provide supplemental responses (Exhibit I). Unfortunately, the discovery issues persist because plaintiff never served the promised discovery responses.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 11, 2010 in Los Angeles, California.

Robert J. Tyson

PROOF OF SERVICE

I, Sandy Arangio, declare:

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 444 South Flower Street, Suite 2400, Los Angeles, California 90071-2953. On February 29, 2010, I served a copy of the within document(s):

DECLARATION OF ROBERT J. TYSON IN SUPPORT OF MOTION TO COMPEL FURTHER INTERROGATORY RESPONSES

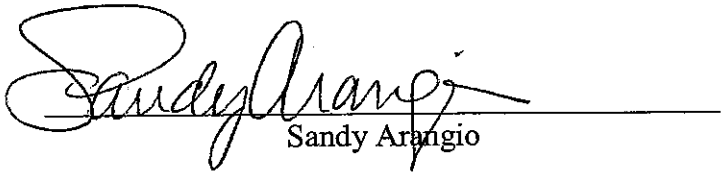
X by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below.

Solomon E. Gresen, Esq.
Law Offices of Rheuban & Gresen
15910 Ventura Blvd., Suite 1610
Encino, CA 91436

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on February 11, 2010, at Los Angeles, California.



Sandy Arangio

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Attorneys for Defendant
City of Burbank

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

CHRISTOPHER LEE DUNN, Plaintiff, v. BURBANK POLICE DEPARTMENT, CITY OF BURBANK, and DOES 1 Through 100, Inclusive, Defendants.	Case No. BC 417928 **DEFENDANT CITY OF BURBANK'S FIRST SET OF SPECIAL INTERROGATORIES TO PLAINTIFF; DECLARATION FOR ADDITIONAL DISCOVERY**

PROPOUNDING PARTY: Defendant City of Burbank

RESPONDING PARTY: Plaintiff Christopher Lee Dunn

SET NO.: One

Pursuant to Code of Civil Procedure Section 2030.010-2030.060, defendant City of Burbank (the "City"), requests that plaintiff, Christopher Lee Dunn ("Plaintiff") answer the following interrogatories within 30 days of service hereof.

INTERROGATORY NO. 1:

State each and every fact (including the speaker(s), the comments, and the dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that during YOUR tenure at the Burbank Police Department you were "repeatedly subjected to improper and inflammatory race-based comments by certain of your fellow officers." For the purposes of these

interrogatories the terms YOU and YOUR refer to plaintiff Christopher Lee Dunn, and the term COMPLAINT shall mean the Complaint filed by plaintiff in the Los Angeles County Superior Court Case No. BC 417928.

INTERROGATORY NO. 2:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 1.

INTERROGATORY NO. 3:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 1. For the purposes of these interrogatories the term DOCUMENTS shall have the same meaning as the term "writing" as defined in Evidence Code section 250, but shall also include any writing recorded in any electronic medium.

INTERROGATORY NO. 4:

State each and every fact (including the speaker(s), the comments, and the dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that "Racial slurs and epithets were commonly used by those same officers."

INTERROGATORY NO. 5:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 4.

INTERROGATORY NO. 6:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 4.

INTERROGATORY NO. 7:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that YOU were "regularly called a "Jap"."

INTERROGATORY NO. 8:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 7.

INTERROGATORY NO. 9:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 7.

INTERROGATORY NO. 10:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that YOU were "regularly called a... "Nip"."

INTERROGATORY NO. 11:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 10.

INTERROGATORY NO. 12:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 10.

INTERROGATORY NO. 13:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that YOU were "regularly called a... "Half Breed"."

INTERROGATORY NO. 14:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 13.

INTERROGATORY NO. 15:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 13.

INTERROGATORY NO. 16:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that YOU were "regularly called a... "Charlie"."

INTERROGATORY NO. 17:

Identify all witnesses (by name, address and telephone number) to the facts set forth in

YOUR response to Interrogatory No. 16.

INTERROGATORY NO. 18:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 16.

INTERROGATORY NO. 19:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that YOU were "regularly called a… "Fish Head"."

INTERROGATORY NO. 20:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 19.

INTERROGATORY NO. 21:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 19.

INTERROGATORY NO. 22:

State each and every fact (including the speaker(s), the slurs, and the dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that there were "other" racial slurs or epithets that YOU were "regularly called" in addition to those listed in the second sentence of that paragraph.

INTERROGATORY NO. 23:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 22.

INTERROGATORY NO. 24:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 22.

INTERROGATORY NO. 25:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that "Comments were also made about Plaintiff's "slanted eyes"."

INTERROGATORY NO. 26:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 25.

INTERROGATORY NO. 27:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 25.

INTERROGATORY NO. 28:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that "Comments were also made about... [YOUR] "Chinese" heritage."

INTERROGATORY NO. 29:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 28.

INTERROGATORY NO. 30:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 28.

INTERROGATORY NO. 31:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that "stereotypical jokes" were made about "seeing at night."

INTERROGATORY NO. 32:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 31.

INTERROGATORY NO. 33:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 31.

INTERROGATORY NO. 34:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that "stereotypical jokes" were made about being "blinded by dental-floss".

INTERROGATORY NO. 35:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 34.

INTERROGATORY NO. 36:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 34.

INTERROGATORY NO. 37:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that "stereotypical jokes" were made about World War II.

INTERROGATORY NO. 38:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 37.

INTERROGATORY NO. 39:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 37.

INTERROGATORY NO. 40:

State each and every fact (including the speaker(s), the jokes and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that there were "other" stereotypical jokes that "were also common" in addition to those listed in the third sentence of that paragraph.

INTERROGATORY NO. 41:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 40.

INTERROGATORY NO. 42:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 40.

INTERROGATORY NO. 43:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that "When Plaintiff questioned this behavior to his supervisors, he was told that the officers were just joking around and that he should not make a big deal of it."

INTERROGATORY NO. 44:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 43.

INTERROGATORY NO. 45:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 43.

INTERROGATORY NO. 46:

State each and every fact (including the supervisors involved and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that the "statements" described in that paragraph were "common" and "were made in plain hearing of supervisors and others in position of high authority."

INTERROGATORY NO. 47:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 46.

INTERROGATORY NO. 48:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 46.

INTERROGATORY NO. 49:

State each and every fact (including the speaker(s) and the dates) that supports YOUR contention in paragraph 11 of YOUR COMPLAINT that "Because of his heritage, however, Plaintiff was warned away from the position in the" narcotics unit.

INTERROGATORY NO. 50:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 49.

INTERROGATORY NO. 51:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 49.

INTERROGATORY NO. 52:

State each and every fact (including the supervisor involved and date) that supports YOUR contention in paragraph 11 of YOUR COMPLAINT that "Plaintiff was expressly warned by his supervisor that the "all-white" narcotics unit did not want him there."

INTERROGATORY NO. 53:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 52.

INTERROGATORY NO. 54:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 52.

INTERROGATORY NO. 55:

State each and every fact (including dates) that supports YOUR contention in paragraph 12 of YOUR COMPLAINT that "Immediately upon being assigned to the unit, Plaintiff was treated differently than the white officers."

INTERROGATORY NO. 56:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 55.

INTERROGATORY NO. 57:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 55.

INTERROGATORY NO. 58:

State each and every fact (including speaker(s) and help not given) that supports YOUR contention in paragraph 12 of YOUR COMPLAINT that "most were reluctant to assist Plaintiff in fear of retaliation from the more powerful and politically connected among them."

INTERROGATORY NO. 59:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 58.

INTERROGATORY NO. 60:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 58.

INTERROGATORY NO. 61:

State each and every fact (including the speaker(s), the comments, and the dates) that supports YOUR contention in paragraph 12 of YOUR COMPLAINT that "inappropriate and insensitive race-based comments and jokes were commonplace" in the narcotics unit.

INTERROGATORY NO. 62:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 61.

INTERROGATORY NO. 63:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 61.

INTERROGATORY NO. 64:

State each and every fact (including the speaker and date) that supports YOUR contention in paragraph 12 of YOUR COMPLAINT that "Plaintiff was again told by a coworker in the narcotics unit, "you know they don't want you here.""

INTERROGATORY NO. 65:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 64.

INTERROGATORY NO. 66:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 64.

INTERROGATORY NO. 67:

State each and every fact (including the assignments involved and dates) that supports YOUR contention in paragraph 12 of YOUR COMPLAINT that "Plaintiff was given the less desirable assignments in the unit, even though at the time he had more narcotics seizures than any other officer in the department."

INTERROGATORY NO. 68:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 67.

INTERROGATORY NO. 69:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 67.

INTERROGATORY NO. 70:

State each and every fact (including to whom, how, and the date the report was made) that supports YOUR contention in paragraph 12 of YOUR COMPLAINT that "Plaintiff reported the…disparate and discriminatory treatment" described in that paragraph "and the instigator… was reassigned back to the patrol division."

INTERROGATORY NO. 71:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 70.

INTERROGATORY NO. 72:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 70.

INTERROGATORY NO. 73:

State each and every fact that supports YOUR contention in paragraph 15 of YOUR COMPLAINT that Lt. Eric Rosoff was "Sgt. Yadon's close personal friend, business partner and confidant".

INTERROGATORY NO. 74:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 73.

INTERROGATORY NO. 75:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 73.

INTERROGATORY NO. 76:

State each and every fact that supports YOUR contention in paragraph 16 of YOUR COMPLAINT that "the investigation into the alleged incident was incomplete, irregular and not within the normal practices of the Burbank PD" and that "these irregularities and abnormal practices resulted from the direct involvement of Lt. Rosoff, in retaliation for Plaintiff's complaints against... Sgt. Yadon."

INTERROGATORY NO. 77:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 76.

INTERROGATORY NO. 78:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 76.

INTERROGATORY NO. 79:

State each and every fact that supports YOUR contention in paragraph 18 of YOUR COMPLAINT that "the true reason" for YOUR termination from the Burbank Police Department was because of YOUR "race, ethnicity and/or national origin, and in retaliation for Plaintiff's complaints of harassment and discrimination against Sgt. Yadon and Lt. Rosoff."

INTERROGATORY NO. 80:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 79.

INTERROGATORY NO. 81:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 79.

INTERROGATORY NO. 82:

State each and every fact (including all steps taken and dates) that supports YOUR contention in paragraph 19 of YOUR COMPLAINT that "Plaintiff has properly exhausted his administrative remedies."

INTERROGATORY NO. 83:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 82.

INTERROGATORY NO. 84:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 82.

INTERROGATORY NO. 85:

State each and every fact (including specific actions and policies, speaker(s) and dates) that supports YOUR contention in paragraph 22 of YOUR COMPLAINT that YOU were "subjected to discrimination and discriminatory policies, practices and procedures based upon race, ancestry and national origin, among other things" while working for the City.

INTERROGATORY NO. 86:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 85.

INTERROGATORY NO. 87:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 85.

INTERROGATORY NO. 88:

State each and every fact (including specific actions, speaker(s) and dates) that supports YOUR contention in paragraph 32 of YOUR COMPLAINT that YOU were "subjected to unlawful harassment based upon race, ancestry and national origin, among other things" while working for the City.

INTERROGATORY NO. 89:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 88.

INTERROGATORY NO. 90:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 88.

INTERROGATORY NO. 91:

State each and every fact (including specific actions, speaker(s) and dates) that supports YOUR contention in paragraph 42-46 of YOUR COMPLAINT that defendant retaliated against YOU for "reporting and complaining of harassment and discrimination at the Department."

INTERROGATORY NO. 92:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 91.

INTERROGATORY NO. 93:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 91.

INTERROGATORY NO. 94:

State each and every fact that supports YOUR contention in paragraph 52 of YOUR COMPLAINT that defendants "failed to take reasonable steps to prevent harassment, discrimination and retaliation from occurring."

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INTERROGATORY NO. 95:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 94.

INTERROGATORY NO. 96:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 94.

INTERROGATORY NO. 97:

State each and every fact (including specific actions, speaker(s) and dates) that supports YOUR contention in paragraph 64 of YOUR COMPLAINT that defendants "violated Government Code section 3304, and the fundamental, substantial, and well-established public policies embodied therein" as to YOU.

INTERROGATORY NO. 98:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 97.

INTERROGATORY NO. 99:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 97.

INTERROGATORY NO. 100:

If you contend that you exercised rights under "any existing administrative grievance procedure" while employed by the City, state each and every fact that supports this contention, including the nature of and date of such actions..

INTERROGATORY NO. 101:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 100.

INTERROGATORY NO. 102:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 100.

INTERROGATORY NO. 103:

If you contend that you exercised rights under the Public Safety Officers' Procedural Bill of Rights Act while employed by the City, state each and every fact that supports this contention, including the nature of and date of such actions.

INTERROGATORY NO. 104:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 103.

INTERROGATORY NO. 105:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 103.

INTERROGATORY NO. 106:

State each and every fact (including specific actions, individuals and dates) that supports YOUR contention in paragraph 65 of YOUR COMPLAINT that defendants have engaged in "other practices" besides retaliation which violated YOUR rights under the Public Safety Officers' Procedural Bill of Rights Act.

INTERROGATORY NO. 107:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 106.

INTERROGATORY NO. 108:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 106.

INTERROGATORY NO. 109:

State each and every fact that supports YOUR contention in paragraphs 67 and 68 of YOUR COMPLAINT that the conduct of defendants in violation of the Public Safety Officers' Procedural Bill of Rights Act "was done with malice and with a conscious disregard for Plaintiff's rights, and with the intent, design and purpose of injuring the Plaintiff" and was "willful, knowing, and intentional."

INTERROGATORY NO. 110:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 109.

INTERROGATORY NO. 111:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 109.

INTERROGATORY NO. 112:

State each and every fact (including specific actions, speaker(s) and dates) that supports YOUR contention in paragraph 67 of YOUR COMPLAINT that "the Burbank PD Defendants, and each of them, through their officers, managing agents and/or supervisors, authorized, condoned, ratified or otherwise adopted unlawful malicious conduct of the Police officer Defendants."

INTERROGATORY NO. 113:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 112.

INTERROGATORY NO. 114:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 112.

INTERROGATORY NO. 115:

Please list by name, address, and phone number, all medical, psychological, psychiatric, counseling, mental health or health care providers that YOU consulted or received treatment from as a result of conduct, damages or injuries set forth in YOUR COMPLAINT.

INTERROGATORY NO. 116:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 115.

INTERROGATORY NO. 117:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 115.

INTERROGATORY NO. 118:

Please describe all damages that YOU claim to have suffered as a result of the allegedly wrongful conduct of defendants set forth in YOUR COMPLAINT, including he method of calculation.

INTERROGATORY NO. 119:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 118.

INTERROGATORY NO. 120:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 118.

Dated: September 16, 2009

Burke, Williams & Sorensen, LLP
Kristin A. Pelletier
Robert J. Tyson

By: _____
Robert J. Tyson
Attorneys for Defendant
City of Burbank

DECLARATION FOR ADDITIONAL DISCOVERY

I, Robert J. Tyson, declare as follows:

1. I am the attorney for defendant the City of Burbank in the action filed against the City by Christopher Lee Dunn.

2. I am propounding to plaintiff Christopher Lee Dunn Defendant City of Burbanks's First Set of Special Interrogatories, to which this declaration is attached.

3. This set of special interrogatories will cause the total number of special interrogatories propounded to plaintiff to exceed the number of special interrogatories permitted by Section 2030.030 of the Code of Civil Procedure.

4. I have previously propounded a total of 0 special interrogatories to this party.

5. This set of special interrogatories contains a total of 120 special interrogatories.

6. I am familiar with the issues in this case. No discovery has previously been conducted by any of the parties in this case.

7. I have personally examined each interrogatory in this set of special interrogatories.

8. This number of special interrogatories propounded to plaintiff is warranted under Section 2030.040 of the Code of Civil Procedure because plaintiff asserted five causes of action, on a number of legal theories, including harassment based on a hostile work environment based on a number of separate and distinct alleged actions.

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

I declare under the penalty of perjury under the laws of California that the foregoing is true and correct, and that this declaration was executed on September 16, 2009.

Robert J. Tyson

PROOF OF SERVICE BY MAIL

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 444 South Flower Street, Suite 2400, Los Angeles, California 90071-2953. I am readily familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. On September 16, 2009, I placed with this firm at the above address for deposit with the United States Postal Service a true and correct copy of the within document(s):

DEFENDANT CITY OF BURBANK'S FIRST SET OF SPECIAL INTERROGATORIES TO PLAINTIFF; DECLARATION FOR ADDITIONAL DISCOVERY

in a sealed envelope, postage fully paid, addressed as follows:

Solomon E. Gresen, Esq.
Law Offices of Rheuban & Gresen
15910 Ventura Boulevard, Suite 1610
Encino, CA 91436
Telephone: (818) 815-2727
Fax: (818) 815-2737

Following ordinary business practices, the envelope was sealed and placed for collection and mailing on this date, and would, in the ordinary course of business, be deposited with the United States Postal Service on this date.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on September 16, 2009, at Los Angeles, California.

Alice Cheung

Alice Cheung

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar, and address):
Kristin A. Pelletier, SBN 155378 Robert Tyson, SNB 187311
Burke, Williams, & Sorensen, LLP
444 S. Flower Street, 24th Floor
Los Angeles, CA 90071
TELEPHONE NO.: 213-236-0600 FAX NO. (Optional): 213-236-2700
E-MAIL ADDRESS (Optional): kpelletier@bwslaw.com; rtyson@bwslaw.com
ATTORNEY FOR (Name): Defendant City of Burbank

SUPERIOR COURT OF CALIFORNIA, COUNTY OF **LOS ANGELES**
111 N. Hill Street
Los Angeles, CA 90012
Central

SHORT TITLE:
DUNN v. CITY OF BURBANK

FORM INTERROGATORIES – EMPLOYMENT LAW **Asking Party:** Defendant City of Burbnak **Answering Party:** Plaintiff Christopher Lee Dunn **Set No.:** One	CASE NUMBER: BC 417928

Sec. 1. Instructions to All Parties

(a) Interrogatories are written questions prepared by a party to an action that are sent to any other party in the action to be answered under oath. The interrogatories below are form interrogatories approved for use in employment cases.

(b) For time limitations, requirements for service on other parties, and other details, see Code of Civil Procedure sections 2030.010–2030.410 and the cases construing those sections.

(c) These form interrogatories do not change existing law relating to interrogatories nor do they affect an answering party's right to assert any privilege or make any objection.

Sec. 2. Instructions to the Asking Party

(a) These form interrogatories are designed for optional use by parties in employment cases. (Separate sets of interrogatories, *Form Interrogatories—General* (form DISC-001) and *Form Interrogatories—Limited Civil Cases (Economic Litigation)* (form DISC-004) may also be used where applicable in employment cases.)

(b) Insert the names of the **EMPLOYEE** and **EMPLOYER** to whom these interrogatories apply in the definitions in sections 4(d) and (e) below.

(c) Check the box next to each interrogatory that you want the answering party to answer. Use care in choosing those interrogatories that are applicable to the case.

(d) The interrogatories in section 211.0, Loss of Income Interrogatories to Employer, should not be used until the employer has had a reasonable opportunity to conduct an investigation or discovery of the employee's injuries and damages.

(e) Additional interrogatories may be attached.

Sec. 3. Instructions to the Answering Party

(a) You must answer or provide another appropriate response to each interrogatory that has been checked below.

(b) As a general rule, within 30 days after you are served with these interrogatories, you must serve your responses on the asking party and serve copies of your responses on all other parties to the action who have appeared. See Code of Civil Procedure sections 2030.260-2030.270 for details.

(c) Each answer must be as complete and straightforward as the information reasonably available to you permits. If an interrogatory cannot be answered completely, answer it to the extent possible.

(d) If you do not have enough personal knowledge to fully answer an interrogatory, say so, but make a reasonable and good faith effort to get the information by asking other persons or organizations, unless the information is equally available to the asking party.

(e) Whenever an interrogatory may be answered by referring to a document, the document may be attached as an exhibit to the response and referred to in the response. If the document has more than one page, refer to the page and section where the answer to the interrogatory can be found.

(f) Whenever an address and telephone number for the same person are requested in more than one interrogatory, you are required to furnish them in answering only the first interrogatory asking for that information.

(g) If you are asserting a privilege or making an objection to an interrogatory, you must specifically assert the privilege or state the objection in your written response.

(h) Your answers to these interrogatories must be verified, dated, and signed. You may wish to use the following form at the end of your answers:

I declare under penalty of perjury under the laws of the State of California that the foregoing answers are true and correct.

(DATE) (SIGNATURE)

Sec. 4. Definitions

Words in **BOLDFACE CAPITALS** in these interrogatories are defined as follows:

(a) **PERSON** includes a natural person, firm, association, organization, partnership, business, trust, limited liability company, corporation, or public entity.

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(b) **YOU OR ANYONE ACTING ON YOUR BEHALF** includes you, your agents, your employees, your insurance companies, their agents, their employees, your attorneys, your accountants, your investigators, and anyone else acting on your behalf.

(c) **EMPLOYMENT** means a relationship in which an **EMPLOYEE** provides services requested by or on behalf of an **EMPLOYER,** other than an independent contractor relationship,

(d) **EMPLOYEE** means a **PERSON** who provides services in an **EMPLOYMENT** relationship and who is a party to this lawsuit. For purposes of these interrogatories, **EMPLOYEE** refers to *(insert name):* Plaintiff Christopher Lee Dunn

*(If no name is inserted, **EMPLOYEE** means all such **PERSONS.**)*

(e) **EMPLOYER** means a **PERSON** who employs an **EMPLOYEE** to provide services in an **EMPLOYMENT** relationship and who is a party to this lawsuit. For purposes of these interrogatories, **EMPLOYER** refers to *(insert name):* City of Burbank

*(If no name is inserted, **EMPLOYER** means all such **PERSONS.**)*

(f) **ADVERSE EMPLOYMENT ACTION** means any **TERMINATION,** suspension, demotion, reprimand, loss of pay, failure or refusal to hire, failure or refusal to promote, or other action or failure to act that adversely affects the **EMPLOYEE'S** rights or interests and which is alleged in the **PLEADINGS.**

(g) **TERMINATION** means the actual or constructive termination of employment and includes a discharge, firing, layoff, resignation, or completion of the term of the employment agreement,

(h) **PUBLISH** means to communicate orally or in writing to anyone other than the plaintiff. This includes communications by one of the defendant's employees to others. *(Kelly v. General Telephone Co.* (1982) 136 Cal.App.3d 278, 284.)

(i) **PLEADINGS** means the original or most recent amended version of any complaint, answer, cross-complaint, or answer to cross-complaint.

(j) **BENEFIT** means any benefit from an **EMPLOYER,** including an "employee welfare benefit plan" or employee pension benefit plan" within the meaning of Title 29 United States Code section 1002(1) or (2) or ERISA.

(k) **HEALTH CARE PROVIDER** includes any **PERSON** referred to in Code of Civil Procedure section 667.7(e)(3).

(l) **DOCUMENT** means a writing, as defined in Evidence Code section 250, and includes the original or a copy of handwriting, typewriting, printing, photostats, photographs, electronically stored information, 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.

(m) **ADDRESS** means the street address, including the city, state, and zip code.

Sec. 5. Interrogatories

The following interrogatories for employment law cases have been approved by the Judicial Council under Code of Civil Procedure section 2033.710:

CONTENTS

200.0 Contract Formation
201.0 Adverse Employment Action
202.0 Discrimination Interrogatories to Employee
203.0 Harassment Interrogatories to Employee
204.0 Disability Discrimination
205.0 Discharge in Violation of Public Policy
206.0 Defamation
207.0 Internal Complaints
208.0 Governmental Complaints
209.0 Other Employment Claims by Employee or Against Employer
210.0 Loss of income Interrogatories to Employee
211.0 Loss of income Interrogatories to Employer
212.0 Physical, Mental, or Emotional Injuries—Interrogatories to Employee
213.0 Other Damages Interrogatories to Employee
214.0 Insurance
215.0 Investigation
216.0 Denials and Special or Affirmative Defenses
217.0 Response to Request for Admissions

200.0 Contract Formation

☐ 200.1 Do you contend that the **EMPLOYMENT** relationship was at "at will"? If so:
(a) state all facts upon which you base this contention;
(b) state the name, **ADDRESS,** and telephone number of each **PERSON** who has knowledge of those facts; and
(c) identify all **DOCUMENTS** that support your contention.

☐ 200.2 Do you contend that the **EMPLOYMENT** relationship was not "at will"? If so:
(a) state all facts upon which you base this contention;
(b) state the name, **ADDRESS,** and telephone number of each **PERSON** who has knowledge of those facts; and
(c) identify all **DOCUMENTS** that support your contention.

☐ 200.3 Do you contend that the **EMPLOYMENT** relationship was governed by any agreement—written, oral, or implied? If so:
(a) state all facts upon which you base this contention;
(b) state the name, **ADDRESS,** and telephone number of each **PERSON** who has knowledge of those facts; and
(c) identify all **DOCUMENTS** that support your contention.

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☐ 200.4 Was any part of the parties' EM YMENT relationship governed in whole or in part by any written rules, guidelines, policies, or procedures established by the **EMPLOYER?** If so, for each **DOCUMENT** containing the written rules, guidelines, policies, or procedures:

(a) state the date and title of the **DOCUMENT** and a general description of its contents;

(b) state the manner in which the **DOCUMENT** was communicated to employees; and

(c) state the manner, if any, in which employees acknowledged either receipt of the **DOCUMENT** or knowledge of its contents.

☐ 200.5 Was any part of the parties' **EMPLOYMENT** relationship covered by one or more collective bargaining agreements or memorandums of understanding between the **EMPLOYER** (or an association of employers) and any labor union or employee association? If so, for each collective bargaining agreement or memorandum of understanding, state:

(a) the names and **ADDRESSES** of the parties to the collective bargaining agreement or memorandum of understanding;

(b) the beginning and ending dates, if applicable, of the collective bargaining agreement or memorandum of understanding; and

(c) which parts of the collective bargaining agreement or memorandum of understanding, if any, govern (1) any dispute or claim referred to in the **PLEADINGS** and (2) the rules or procedures for resolving any dispute or claim referred to in the **PLEADINGS.**

☐ 200.6 Do you contend that the **EMPLOYEE** and the **EMPLOYER** were in a business relationship other than an **EMPLOYMENT** relationship? If so, for each relationship:

(a) state the names of the parties to the relationship;

(b) identify the relationship; and

(c) state all facts upon which you base your contention that the parties were in a relationship other than an **EMPLOYMENT** relationship.

201.0 Adverse Employment Action

☐ 201.1 Was the **EMPLOYEE** involved in a **TERMINATION?** If so:

(a) state all reasons for the **EMPLOYEE'S TERMINATION;**

(b) state the name, **ADDRESS,** and telephone number of each **PERSON** who participated in the **TERMINATION** decision;

(c) state the name, **ADDRESS,** and telephone number of each **PERSON** who provided any information relied upon in the **TERMINATION** decision; and

(d) identify all **DOCUMENTS** relied upon in the **TERMINATION** decision.

☐ 201.2 Are there ar cts that would support the **EMPLOYEE'S TERMINATION** that were first discovered after the **TERMINATION?** If so:

(a) state the specific facts;

(b) state when and how **EMPLOYER** first learned of each specific fact;

(c) state the name, **ADDRESS,** and telephone number of each **PERSON** who has knowledge of the specific facts; and

(d) identify all **DOCUMENTS** that evidence these specific facts.

☐ 201.3 Were there any other **ADVERSE EMPLOYMENT ACTIONS,** including *(the asking party should list the **ADVERSE EMPLOYMENT ACTIONS**):*

If so, for each action, provide the following:

(a) all reasons for each **ADVERSE EMPLOYMENT ACTION;**

(b) the name, **ADDRESS,** and telephone number of each **PERSON** who participated in making each **ADVERSE EMPLOYMENT ACTION** decision;

(c) the name, **ADDRESS,** and telephone number of each **PERSON** who provided any information relied upon in making each **ADVERSE EMPLOYMENT ACTION** decision; and

(d) the identity of all **DOCUMENTS** relied upon in making each **ADVERSE EMPLOYMENT ACTION** decision.

☐ 201.4 Was the **TERMINATION** or any other **ADVERSE EMPLOYMENT ACTIONS** referred to in Interrogatories 201.1 through 201.3 based in whole or in part on the **EMPLOYEE'S** job performance? If so, for each action:

(a) identify the **ADVERSE EMPLOYMENT ACTION;**

(b) identify the **EMPLOYEE'S** specific job performance that played a role in that **ADVERSE EMPLOYMENT ACTION;**

(c) identify any rules, guidelines, policies, or procedures that were used to evaluate the **EMPLOYEE'S** specific job performance;

(d) state the names, **ADDRESSES,** and telephone numbers of all **PERSONS** who had responsibility for evaluating the specific job performance of the **EMPLOYEE;**

(e) state the names, ADDRESSES, and telephone numbers of all PERSONS who have knowledge of the EMPLOYEE'S specific job performance that played a role in that **ADVERSE EMPLOYMENT ACTION;** and

(f) describe all warnings given with respect to the **EMPLOYEE'S** specific job performance.

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☐ 201.5 Was any **PERSON** hired to rep[illegible] the **EMPLOYEE** after the **EMPLOYEE'S TERMINATION** or demotion? If so, state the **PERSON'S** name, job title, qualifications, **ADDRESS** and telephone number, and the date the **PERSON** was hired.

☐ 201.6 Has any **PERSON** performed any of the **EMPLOYEE'S** former job duties after the **EMPLOYEE'S TERMINATION** or demotion? If so:

(a) state the **PERSON'S** name, job title, **ADDRESS,** and telephone number;
(b) identify the duties; and
(c) state the date on which the **PERSON** started to perform the duties.

☐ 201.7 If the **ADVERSE EMPLOYMENT ACTION** involved the failure or refusal to select the **EMPLOYEE** (for example, for hire, promotion, transfer, or training), was any other **PERSON** selected instead? If so, for each **ADVERSE EMPLOYMENT ACTION,** state the name, **ADDRESS,** and telephone number of each **PERSON** selected; the date the **PERSON** was selected; and the reason the **PERSON** was selected instead of the **EMPLOYEE.**

202.0 Discrimination—Interrogatories to Employee

☒ 202.1 Do you contend that any **ADVERSE EMPLOYMENT ACTIONS** against you were discriminatory? If so:

(a) identify each **ADVERSE EMPLOYMENT ACTION** that involved unlawful discrimination;
(b) identify each characteristic (for example, gender, race, age, etc.) on which you base your claim or claims of discrimination;
(c) state all facts upon which you base each claim of discrimination;
(d) state the name, **ADDRESS,** and telephone number of each **PERSON** with knowledge of those facts; and
(e) identify all **DOCUMENTS** evidencing those facts.

☐ 202.2 State all facts upon which you base your contention that you were qualified to perform any job which you contend was denied to you on account of unlawful discrimination.

203.0 Harassment—Interrogatories to Employee

☒ 203.1 Do you contend that you were unlawfully harassed in your employment? If so:

(a) state the name, **ADDRESS,** telephone number, and employment position of each **PERSON** whom you contend harassed you;
(b) for each **PERSON** whom you contend harassed you, describe the harassment;
(c) identif[illegible]h characteristic (for example, gender, race, age, etc.) on which you base your claim of harassment;
(d) state all facts upon which you base your contention that you were unlawfully harassed;
(e) state the name, **ADDRESS,** and telephone number of each **PERSON** with knowledge of those facts; and
(f) identify all **DOCUMENTS** evidencing those facts.

204.0 Disability Discrimination

☐ 204.1 Name and describe each disability alleged in the **PLEADINGS.**

☐ 204.2 Does the **EMPLOYEE** allege any injury or illness that arose out of or in the course of **EMPLOYMENT?** If so, state:

(a) the nature of such injury or illness;
(b) how such injury or illness occurred;
(c) the date on which such injury or illness occurred;
(d) whether **EMPLOYEE** has filed a workers' compensation claim. If so, state the date and outcome of the claim; and
(e) whether **EMPLOYEE** has filed or applied for disability benefits of any type. If so, state the date, identify the nature of the benefits applied for, and the outcome of any such application.

☐ 204.3 Were there any communications between the **EMPLOYEE** (or the **EMPLOYEE'S HEALTH CARE PROVIDER)** and the **EMPLOYER** about the type or extent of any disability of **EMPLOYEE?** If so:

(a) state the name, **ADDRESS,** and telephone number of each person who made or received the communications;
(b) state the name, **ADDRESS,** and telephone number of each **PERSON** who witnessed the communications;
(c) describe the date and substance of the communications; and
(d) identify each **DOCUMENT** that refers to the communications.

☐ 204.4 Did the **EMPLOYER** have any information about the type, existence, or extent of any disability of **EMPLOYEE** other than from communications with the **EMPLOYEE** or the **EMPLOYEE'S HEALTH CARE PROVIDER?** If so, state the sources and substance of that information and the name, **ADDRESS,** and telephone number of each **PERSON** who provided or received the information.

☐ 204.5 Did the **EMPLOYEE** need any accommodation to perform any function of the **EMPLOYEE'S** job position or need a transfer to another position as an accommodation? If so, describe the accommodations needed.

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☐ 204.6 Were there any communication [illegible]ween the **EMPLOYEE** (or the **EMPLOYEE'S HEALTH CARE PROVIDER**) and the **EMPLOYER** about any possible accommodation of **EMPLOYEE?** If so, for each communication:

(a) state the name, **ADDRESS,** and telephone number of each **PERSON** who made or received the communication;

(b) state the name, **ADDRESS,** and telephone number of each **PERSON** who witnessed the communication;

(c) describe the date and substance of the communication; and

(d) identify each **DOCUMENT** that refers to the communication.

☐ 204.7 What did the **EMPLOYER** consider doing to accommodate the **EMPLOYEE?** For each accommodation considered:

(a) describe the accommodation considered;

(b) state whether the accommodation was offered to the **EMPLOYEE;**

(c) state the **EMPLOYEE'S** response; or

(d) if the accommodation was not offered, state all the reasons why this decision was made;

(e) state the name, **ADDRESS,** and telephone number of each **PERSON** who on behalf of **EMPLOYER** made any decision about what accommodations, if any, to make for the **EMPLOYEE;** and

(f) state the name, **ADDRESS,** and telephone number of **each PERSON** who on behalf of the **EMPLOYER** made or received any communications about what accommodations, if any, to make for the **EMPLOYEE.**

205.0 Discharge in Violation of Public Policy

☒ 205.1 Do you contend that the **EMPLOYER** took any **ADVERSE EMPLOYMENT ACTION** against you in violation of public policy? If so:

(a) identify the constitutional provision, statute, regulation, or other source of the public policy that you contend was violated; and

(b) state all facts upon which you base your contention that the **EMPLOYER** violated public policy.

206.0 Defamation

☐ 206.1 Did the **EMPLOYER'S** agents or employees **PUBLISH** any of the allegedly defamatory statements identified in the **PLEADINGS?** If so, for each statement:

(a) identify the PUBLISHED statement;

(b) state the name, ADDRESS, telephone number, and job title of each person who **PUBLISHED** the statement;

(c) state the name, **ADDRESS,** and telephone number of each person to whom the statement was **PUBLISHED;**

(d) state whet[illegible] at the time the statement was **PUBLISHED,** the **PERSON** who **PUBLISHED** the statement believed it to be true; and

(e) state all facts upon which the **PERSON** who published the statement based the belief that it was true.

☐ 206.2 State the name and **ADDRESS** of each agent or employee of the **EMPLOYER** who responded to any inquiries regarding the **EMPLOYEE** after the **EMPLOYEE'S TERMINATION.**

☐ 206.3 State the name and **ADDRESS** of the recipient and the substance of each post-**TERMINATION** statement **PUBLISHED** about **EMPLOYEE** by any agent or employee of **EMPLOYER.**

207.0 Internal Complaints

☐ 207.1 Were there any internal written policies or regulations of the **EMPLOYER** that apply to the making of a complaint of the type that is the subject matter of this lawsuit? If so:

(a) state the title and date of each **DOCUMENT** containing the policies or regulations and a general description of the **DOCUMENT'S** contents;

(b) state the manner in which the **DOCUMENT** was communicated to **EMPLOYEES;**

(c) state the manner, if any, in which **EMPLOYEES** acknowledged receipt of the **DOCUMENT** or knowledge of its contents, or both;

(d) state, if you contend that the **EMPLOYEE** failed to use any available internal complaint procedures, all facts that support that contention; and

(e) state, if you contend that the **EMPLOYEE'S** failure to use internal complaint procedures was excused, all facts why the **EMPLOYEE'S** use of the procedures was excused.

☒ 207.2 Did the **EMPLOYEE** complain to the **EMPLOYER** about any of the unlawful conduct alleged in the **PLEADINGS?** If so, for each complaint:

(a) state the date of the complaint;

(b) state the nature of the complaint;

(c) state the name and **ADDRESS** of each **PERSON** to whom the complaint was made;

(d) state the name, **ADDRESS,** telephone number, and job title of each **PERSON** who investigated the complaint;

(e) state the name, **ADDRESS,** telephone number, and job title of each **PERSON** who participated in making decisions about how to conduct the investigation;

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(f) state the name, **ADDRESS,** telephone number, and job title of each **PERSON** who was interviewed or who provided an oral or written statement as part of the investigation of the complaint;

(g) state the nature and date of any action taken in response to the complaint;

(h) state whether the **EMPLOYEE** who made the complaint was made aware of the actions taken by the **EMPLOYER** in response to the complaint, and, if so, state how and when;

(i) identify all **DOCUMENTS** relating to the complaint, the investigation, and any action taken in response to the complaint; and

(j) state the name, **ADDRESS,** and telephone number of each **PERSON** who has knowledge of the **EMPLOYEE'S** complaint or the **EMPLOYER'S** response to the complaint.

208.0 Governmental Complaints

☒ 208.1 Did the **EMPLOYEE** file a claim, complaint, or charge with any governmental agency that involved any of the material allegations made in the **PLEADINGS?** If so, for each claim, complaint, or charge:

(a) state the date on which it was filed;

(b) state the name and **ADDRESS** of the agency with which it was filed;

(c) state the number assigned to the claim, complaint, or charge by the agency;

(d) state the nature of each claim, complaint, or charge made;

(e) state the date on which the **EMPLOYER** was notified of the claim, complaint, or charge;

(f) state the name, **ADDRESS,** and telephone number of all **PERSONS** within the governmental agency with whom the **EMPLOYER** has had any contact or communication regarding the claim, complaint, or charge;

(g) state whether a right to sue notice was issued and, if so, when; and

(h) state whether any findings or conclusions regarding the complaint or charge have been made, and, if so, the date and description of the agency's findings or conclusions.

☐ 208.2 Did the **EMPLOYER** respond to any claim, complaint, or charge identified in Interrogatory 208.1? If so, for each claim, complaint, or charge:

(a) state the nature and date of any investigation done or any other action taken by the **EMPLOYER** in response to the claim, complaint, or charge:

(b) state the name, **ADDRESS,** telephone number, and job title of each person who investigated the claim, complaint, or charge;

(c) state the name, **ADDRESS,** telephone number, and job title of each **PERSON** who participated in making decisions about how to conduct the investigation; and

(d) state the name, **ADDRESS,** telephone number, and job title of each **PERSON** who was interviewed or who provided an oral or written statement as part of the investigation.

209.0 Other Employment Claims by Employee or Against Employer

☒ 209.1 Except for this action, in the past 10 years has the **EMPLOYEE** filed a civil action against any employer regarding the **EMPLOYEE'S** employment? If so, for each civil action:

(a) state the name, **ADDRESS,** and telephone number of each employer against whom the action was filed;

(b) state the court, names of the parties, and case number of the civil action;

(c) state the name, **ADDRESS,** and telephone number of any attorney representing the **EMPLOYEE;** and

(d) state whether the action has been resolved or is pending.

☐ 209.2 Except for this action, in the past 10 years has any employee filed a civil action against the **EMPLOYER** regarding his or her employment? If so, for each civil action:

(a) state the name, **ADDRESS,** and telephone number of each employee who filed the action;

(b) state the court, names of the parties, and case number of the civil action;

(c) state the name, **ADDRESS,** and telephone number of any attorney representing the **EMPLOYER;** and

(d) state whether the action has been resolved or is pending.

210.0 Loss of Income—Interrogatories to Employee

☒ 210.1 Do you attribute any loss of income, benefits, or earning capacity to any **ADVERSE EMPLOYMENT ACTION?** *(If your answer is "no," do not answer Interrogatories 210.2 through 210.6.)*

☒ 210.2 State the total amount of income, benefits, or earning capacity you have lost to date and how the amount was calculated.

☒ 210.3 Will you lose income, benefits, or earning capacity in the future as a result of any **ADVERSE EMPLOYMENT ACTION?** If so, state the total amount of income, benefits, or earning capacity you expect to lose, and how the amount was calculated.

☒ 210.4 Have you attempted to minimize the amount of your lost income? If so, describe how; if not, explain why not.

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☒ 210.5 Have you purchased any bene[illegible] replace any benefits to which you would have been entitled if the **ADVERSE EMPLOYMENT ACTION** had not occurred? If so, state the cost for each benefit purchased.

☒ 210.6 Have you obtained other employment since any **ADVERSE EMPLOYMENT ACTION?** If so, for each new employment:
(a) state when the new employment commenced;
(b) state the hourly rate or monthly salary for the new employment; and
(c) state the benefits available from the new employment.

211.0 Loss of Income—Interrogatories to Employer
[See instruction 2(d).]

☐ 211.1 Identify each type of **BENEFIT** to which the **EMPLOYEE** would have been entitled, from the date of the **ADVERSE EMPLOYMENT ACTION** to the present, if the **ADVERSE EMPLOYMENT ACTION** had not happened and the **EMPLOYEE** had remained in the same job position. For each type of benefit, state the amount the **EMPLOYER** would have paid to provide the benefit for the **EMPLOYEE** during this time period and the value of the **BENEFIT** to the **EMPLOYEE.**

☐ 211.2 Do you contend that the **EMPLOYEE** has not made reasonable efforts to minimize the amount of the **EMPLOYEE'S** lost income? If so:
(a) describe what more **EMPLOYEE** should have done;
(b) state the names, **ADDRESSES,** and telephone numbers of all **PERSONS** who have knowledge of the facts that support your contention; and
(c) identify all **DOCUMENTS** that support your contention and state the name, **ADDRESS,** and telephone number of the **PERSON** who has each **DOCUMENT.**

☐ 211.3 Do you contend that any of the lost income claimed by the **EMPLOYEE,** as disclosed in discovery thus far in this case, is unreasonable or was not caused by the **ADVERSE EMPLOYMENT ACTION?** If so:
(a) state the amount of claimed lost income that you dispute;
(b) state all facts upon which you base your contention;
(c) state the names, **ADDRESSES,** and telephone numbers of all **PERSONS** who have knowledge of the facts; and
(d) identify all **DOCUMENTS** that support your contention and state the name, **ADDRESS,** and telephone number of the PERSON who has each **DOCUMENT.**

212.0 Physical, M[illegible]l, or Emotional Injuries—Interrogatories to Employee

☒ 212.1 Do you attribute any physical, mental, or emotional injuries to the **ADVERSE EMPLOYMENT ACTION?** *(If your answer is "no," do not answer Interrogatories 212.2 through 212.7.)*

☒ 212.2 Identify each physical, mental, or emotional injury that you attribute to the **ADVERSE EMPLOYMENT ACTION** and the area of your body affected.

☒ 212.3 Do you still have any complaints of physical, mental, or emotional injuries that you attribute to the **ADVERSE EMPLOYMENT ACTION?** If so, for each complaint state:
(a) a description of the injury;
(b) whether the complaint is subsiding, remaining the same, or becoming worse; and
(c) the frequency and duration.

☒ 212.4 Did you receive any consultation or examination (except from expert witnesses covered by Code of Civil Procedure section 2034) or treatment from a **HEALTH CARE PROVIDER** for any injury you attribute to the **ADVERSE EMPLOYMENT ACTION?** If so, for each **HEALTH CARE PROVIDER** state:
(a) the name, **ADDRESS,** and telephone number;
(b) the type of consultation, examination, or treatment provided;
(c) the dates you received consultation, examination, or treatment; and
(d) the charges to date.

☒ 212.5 Have you taken any medication, prescribed or not, as a result of injuries that you attribute to the **ADVERSE EMPLOYMENT ACTION?** If so, for each medication state:
(a) the name of the medication;
(b) the name, **ADDRESS** and telephone number of the **PERSON** who prescribed or furnished it;
(c) the date prescribed or furnished;
(d) the dates you began and stopped taking it; and
(e) the cost to date.

☒ 212.6 Are there any other medical services not previously listed in response to interrogatory 212.4 (for example, ambulance, nursing, prosthetics) that you received for injuries attributed to the **ADVERSE EMPLOYMENT ACTION?** If so, for each service state:
(a) the nature;
(b) the date;
(c) the cost; and
(d) the name, **ADDRESS,** and telephone number of each **HEALTH CARE PROVIDER.**

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☒ 212.7 Has any **HEALTH CARE PROV** advised that you may require future or additional treatment for any injuries that you attribute to the **ADVERSE EMPLOYMENT ACTION?** If so, for each injury state:

(a) the name and **ADDRESS** of each **HEALTH CARE PROVIDER;**

(b) the complaints for which the treatment was advised; and

(c) the nature, duration, and estimated cost of the treatment.

213.0 Other Damages—Interrogatories to Employee

☒ 213.1 Are there any other damages that you attribute to the **ADVERSE EMPLOYMENT ACTION?** If so, for each item of damage state:

(a) the nature;

(b) the date it occurred;

(c) the amount; and

(d) the name, **ADDRESS,** and telephone number of each **PERSON** who has knowledge of the nature or amount of the damage.

☒ 213.2 Do any **DOCUMENTS** support the existence or amount of any item of damages claimed in Interrogatory 213.1 ? If so, identify the **DOCUMENTS** and state the name, **ADDRESS,** and telephone number of the **PERSON** who has each **DOCUMENT.**

214.0 Insurance

☐ 214.1 At the time of the **ADVERSE EMPLOYMENT ACTION,** was there in effect any policy of insurance through which you were or might be insured in any manner for the damages, claims, or actions that have arisen out of the **ADVERSE EMPLOYMENT ACTION?** If so, for each policy state:

(a) the kind of coverage;

(b) the name and **ADDRESS** of the insurance company;

(c) the name, **ADDRESS,** and telephone number of each named insured;

(d) the policy number;

(e) the limits of coverage for each type of coverage contained in the policy;

(f) whether any reservation of rights or controversy or coverage dispute exists between you and the insurance company; and

(g) the name, **ADDRESS,** and telephone number of the custodian of the policy.

☐ 214.2 Are you self-insured under any statute for the damages, claims, or actions that have arisen out of the **ADVERSE EMPLOYMENT ACTION?** If so, specify the statute.

215.0 Investigation

☒ 215.1 Have **YOU OR ANYONE ACTING ON YOUR BEHALF** interviewed any individual concerning the **ADVERSE EMPLOYMENT ACTION?** If so, for each individual state:

(a) the name, **ADDRESS,** and telephone number of the individual interviewed;

(b) the date of the interview; and

(c) the name, **ADDRESS,** and telephone number of the **PERSON** who conducted the interview.

☒ 215.2 Have **YOU OR ANYONE ACTING ON YOUR BEHALF** obtained a written or recorded statement from any individual concerning the **ADVERSE EMPLOYMENT ACTION?** If so, for each statement state:

(a) the name, **ADDRESS,** and telephone number of the individual from whom the statement was obtained;

(b) the name, **ADDRESS,** and telephone number of the individual who obtained the statement;

(c) the date the statement was obtained; and

(d) the name, **ADDRESS,** and telephone number of each **PERSON** who has the original statement or a copy.

216.0 Denials and Special or Affirmative Defenses

☐ 216.1 Identify each denial of a material allegation and each special or affirmative defense in your **PLEADINGS** and for each:

(a) state all facts upon which you base the denial or special or affirmative defense;

(b) state the names, **ADDRESSES,** and telephone numbers of all **PERSONS** who have knowledge of those facts; and

(c) identify all **DOCUMENTS** and all other tangible things, that support your denial or special or affirmative defense, and state the name, **ADDRESS,** and telephone number of the **PERSON** who has each **DOCUMENT.**

217.0 Response to Request for Admissions

☐ 217.1 Is your response to each request for admission served with these interrogatories an unqualified admission? If not, for each response that is not an unqualified admission:

(a) state the number of the request;

(b) state all facts upon which you base your response;

(c) state the names, **ADDRESSES,** and telephone numbers of all **PERSONS** who have knowledge of those facts; and

(d) identify all **DOCUMENTS** and other tangible things that support your response and state the name, **ADDRESS,** and telephone number of the **PERSON** who has each **DOCUMENT** or thing.

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PROOF OF SERVICE BY MAIL

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 444 South Flower Street, Suite 2400, Los Angeles, California 90071-2953. I am readily familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. On September 16, 2009, I placed with this firm at the above address for deposit with the United States Postal Service a true and correct copy of the within document(s):

DEFENDANT CITY OF BURBANK'S FORM INTERROGATORIES, SET ONE

in a sealed envelope, postage fully paid, addressed as follows:

Solomon E. Gresen, Esq.
Law Offices of Rheuban & Gresen
15910 Ventura Boulevard, Suite 1610
Encino, CA 91436
Telephone: (818) 815-2727
Fax: (818) 815-2737

Following ordinary business practices, the envelope was sealed and placed for collection and mailing on this date, and would, in the ordinary course of business, be deposited with the United States Postal Service on this date.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on September 16, 2009, at Los Angeles, California.

Alice Cheung

Alice Cheung

LAW OFFICES OF
RHEUBAN & GRESEN
15910 VENTURA BOULEVARD
SUITE 1610
ENCINO, CALIFORNIA 91436
TELEPHONE: (818) 815-2727
FACSIMILE: (818) 815-2737

STEVEN V. RHEUBAN
SOLOMON E. GRESEN

STEVEN M. CISCHKE
ROBERT C. HAYDEN
JOSEPH M. LEVY

October 21, 2009

VIA FACSIMILE TO (213) 236-2700 & U.S. MAIL

Robert J. Tyson, Esq.
Burke, Williams & Sorensen, LLP
444 South Flower Street, Suite 2400
Los Angeles, California 90071

Re: Dunn v. City of Burbank, et al.
LASC Case No. BC 418792

Dear Mr. Tyson:

Please accept this correspondence as confirmation that you have granted our client an extension of time in which to respond to discovery. Plaintiff shall have until and including November 5, 2009 to provide you with the responses. If this letter in any way does not conform to your understanding of our conversation, please let us know immediately.

Thank you for your courtesy and cooperation.

Very truly yours,

LAW OFFICES OF RHEUBAN & GRESEN

Daphne Johnson, Legal Assistant

BURKE, WILLIAMS & SORENSEN, LLP
444 South Flower Street - Suite 2400
Los Angeles, California 90071-2953
Voice 213.236.0600 - fax 213.236.2700
www.bwslaw.com

Our File No.: 06147-0014
kpelletier@bwslaw.com

November 16, 2009

VIA FACSIMILE AND REGULAR MAIL
Solomon E. Gresen, Esq.
Law Offices of Rheuban & Gresen
15910 Ventura Boulevard, Suite 1610
Encino, CA 91436

Re: Dunn v. City of Burbank

Dear Mr. Gresen:

The City has not received your client's responses to its interrogatories or document requests, which were due (after an agreed-upon extension) on November 5, 2009. If you contend that you timely served those responses, please telecopy or personally deliver them to this office by 5:00 p.m. today.

Sincerely,

KRISTIN A. PELLETIER

KAP:ac

LA #4829-0420-1989 v1

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*** TX REPORT ***
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444 South Flower Street - Suite 2400
Los Angeles, California 90071-2953
voice 213.236.0600 - fax 213.236.2700
www.bwslaw.com

FACSIMILE MESSAGE

DATE: November 16, 2009 **FILE NO.:** 06147-0014

TO:	**FAX NO.:**	**PHONE NO.:**
Solomon E. Gresen, Esq. Law offices of Rheuban & Gresen	(818) 815-2737	(818) 815-2727

FROM: Kristin A. Pelletier, Esq. **PHONE NO.:** 213.236.2836

RE: Dunn v. City of Burbank, et al.

NUMBER OF PAGES WITH COVER PAGE: 2

MESSAGE:

SOLOMON E. GRESEN [SBN: 164783]
STEVEN V. RHEUBAN [SBN: 48538]
LAW OFFICES OF RHEUBAN & GRESEN
15910 Ventura Boulevard, SUITE 1610
ENCINO, CALIFORNIA 91436
TELEPHONE: (818) 815-2727
FACSIMILE: (818) 815-2737

Attorneys for Plaintiff, CHRISTOPHER LEE DUNN

(SPACE BELOW FOR FILING STAMP ONLY)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES - CENTRAL DISTRICT

CHRISTOPHER LEE DUNN, Plaintiff, -vs- BURBANK POLICE DEPARTMENT, CITY OF BURBANK, AND DOES 1 THROUGH 25, INCLUSIVE, Defendants.	CASE NO.: BC 417 928 **PLAINTIFF CHRISTOPHER LEE DUNN'S RESPONSES TO SPECIAL INTERROGATORIES LAW PROPOUNDED BY THE CITY OF BURBANK** SET NO. ONE Complaint Filed: July 16, 2009 Assigned to: Department 31

PROPOUNDING PARTY: DEFENDANT CITY OF BURBANK

RESPONDING PARTY: PLAINTIFF CHRISTOPHER LEE DUNN

SET NUMBER: ONE

TO DEFENDANTS, CITY OF BURBANK AND TO THEIR ATTORNEY(S) OF RECORD:

Plaintiff, CHRISTOPHER LEE DUNN, hereby responds to Defendant, CITY OF BURBANK's Special Interrogatories as follows:

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INTRODUCTION

It should be noted that Responding Party has not fully completed investigation of the facts relating to this matter, has not fully completed discovery in this action nor preparation for trial. Further discovery, independent investigation, legal research and analysis may expose additional facts which may lead to substantial changes in the responses herein set forth. Therefore, the following responses are given without prejudice to Responding Party's right to introduce evidence of any subsequently discovered facts contained herein which Responding Party may later obtain or discover. Responding Party accordingly reserves the right to supplement the responses herein below as additional facts are ascertained, analyses are made, legal research is completed and contentions are further developed.

SPECIAL INTERROGATORY NO. 1:

State each and every fact (including the speaker(s), the comments, and the dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that during YOUR tenure at the Burbank Police Department you were "repeatedly subjected to improper and inflammatory race-based comments by certain of your fellow officers." For the purposes of these interrogatories the terms YOU and YOUR refer to plaintiff Christopher Lee Dunn, and the term COMPLAINT shall mean the Complaint filed by plaintiff in the Los Angeles County Superior Court Case No. BC417928.

RESPONSE TO SPECIAL INTERROGATORY NO. 1:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the responding party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party was repeatedly subjected to improper and inflammatory race-based comments by certain fellow officers. The comments included, without limitation, the following: "Motorcycles were referred to as "rice rockets;" references were made to "DWA," which means "driving while Asian;" certain vehicles were referred to as "Jap makes;" Asians were called "Orientals;" Armenians were called "Armos," "Moes," "Sand Nigger," and "Ians," among other things; African-Americans were referred to as "Niggers," "Dudes," "Nigras," and "Mud Ducks;"

Hispanics were called "Paco," "JoseA and JoseB," "Beaners," "Wetbacks," and "Spics;" the Responding Party was called a "Jap" and a "Nip," "Gooks," and "Charlie," and references to World War II were also made. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 2:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 1.

RESPONSE TO SPECIAL INTERROGATORY NO. 2:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: **Supervisors:** Pat Lynch; Armen Dermenjian; John Murphy; Claudio Losacco; Dan Yadon; Jose Duran; Thor Merich; Gerry Misquez; Eduardo Ruiz; Bill Taylor; Kelly Frank; JJ Puglisi; Ron Caruso; and Chris Canales **Officers:** Sam Anderson; Brian Gordon; Aron Kendrick; Mike Macias; John Pfrommer; Chris Racina; Chris Robarts; Ken Schiffner; Scott Meadows; Mitch Ross; Gary Seymour; Mike Reyes; Steve Karagosian; Celia Barber (Hawver); Cindy Guillen; Fernando Rojas; Scott Moody; Brian Cosakos; Fernando Munoz; Edeth Hartwick; Dan Arnold (Airport); Greg Kaufman; Mark Stohl; Henry Garay; Jamal Childs. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 3:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 1.

RESPONSE TO SPECIAL INTERROGATORY NO. 3:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party prepared periodic notes and retained copies of the conduct and/or misconduct described in response

to Interrogatory No. 1 above. All such documents were left by the Responding Party at the Burbank Police Department, and were never returned to the responding Party. Responding Party currently has no documents responsive to this request in his possession. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 4:

State each and every fact (including the speaker(s), the comments, and the dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that "Racial slurs and epithets were commonly used by those same officers."

RESPONSE TO SPECIAL INTERROGATORY NO. 4:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party was repeatedly subjected to improper and inflammatory race-based comments by certain fellow officers. The comments included, without limitation, the following: Motorcycles were referred to as "rice rockets;" references were made to "DWA," which means "driving while Asian;" certain vehicles were referred to as "Jap makes;" Asians were called "Orientals;" Armenians were called "Armos," "Moes," "Sand Nigger," and "Ians," among other things; African-Americans were referred to as "Niggers," "Dudes," "Nigras," and "Mud Ducks;" Hispanics were called "Paco," "JoseA," and "JoseB," "Beaners," "Wetbacks," and "Spics;" the Responding Party was called a "Jap" and a "Nip," "Gooks," and "Charlie," and references to World War II were also made. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 5:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 4.

RESPONSE TO SPECIAL INTERROGATORY NO. 5:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the

foregoing objection, the Responding Party responds as follows: Supervisors: Pat Lynch; Armen Dermenjian; John Murphy; Claudio Losacco; Dan Yadon; Jose Duran; Thor Merich; Gerry Misquez; Eduardo Ruiz; Bill Taylor; Kelly Frank; JJ Puglisi; Ron Caruso; and Chris Canales. Officers: Sam Anderson; Brian Gordon; Aron Kendrick; Mike Macias; John Pfrommer; Chris Racina; Chris Robarts; Ken Schiffner; Scott Meadows; Mitch Ross; Gary Seymour; Mike Reyes; Steve Karagosian; Celia Barber (Hawver); Cindy Guillen; Fernando Rojas; Scott Moody; Brian Cosakos; Fernando Munoz; Edeth Hartwick; Dan Arnold (Airport); Greg Kaufman; Mark Stohl; Henry Garay; Jamal Childs. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 6:

Identify all DOCUMENTS (by author, title, and date) that reflect , refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 4.

RESPONSE TO SPECIAL INTERROGATORY NO. 6:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party prepared periodic notes and retained copies of the conduct and/or misconduct described in response to Interrogatory No. 4 above. All such documents were left by the Responding Party at the Burbank Police Department, and were never returned to the Responding Party. Responding Party currently has no documents responsive to this request in his possession. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 7:

State each and every fact (including the speaker(s), the comments, and the dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that YOU were "regularly called a Jap."

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RESPONSE TO SPECIAL INTERROGATORY NO. 7:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party was repeatedly subjected to improper and inflammatory race-based comments by certain fellow officers. The comments included, without limitation, the following: Motorcycles were referred to as "rice rockets;" references were made to "DWA," which means "driving while Asian;" certain vehicles were referred to as "Jap makes;" Asians were called "Orientals;" Armenians were called "Armos," "Moes," "Sand Nigger," and "Ians," among other things; African-Americans were referred to as "Niggers," "Dudes," "Nigras," and "Mud Ducks;" Hispanics were called "Paco," "JoseA," and "JoseB," "Beaners," "Wetbacks," and "Spics;" the Responding Party was called a "Jap" and a "Nip," "Gooks," and "Charlie," and references to World War II were also made. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 8:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 7.

RESPONSE TO SPECIAL INTERROGATORY NO. 8:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Supervisors: Pat Lynch; Armen Dermenjian; John Murphy; Claudio Losacco; Dan Yadon; Jose Duran; Thor Merich; Gerry Misquez; Eduardo Ruiz; Bill Taylor; Kelly Frank; JJ Puglisi; Ron Caruso; and Chris Canales Officers: Sam Anderson; Brian Gordon; Aron Kendrick; Mike Macias; John Pfrommer; Chris Racina; Chris Robarts; Ken Schiffner; Scott Meadows; Mitch Ross; Gary Seymour; Mike Reyes; Steve Karagosian; Celia Barber (Hawver); Cindy Guillen; Fernando Rojas; Scott Moody; Brian Cosakos;

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Fernando Munoz; Edeth Hartwick; Dan Arnold (Airport); Greg Kaufman; Mark Stohl; Henry Garay; Jamal Childs. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 9:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 7.

RESPONSE TO SPECIAL INTERROGATORY NO. 9:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party prepared periodic notes and retained copies of the conduct and/or misconduct described in response to Interrogatory No. 7 above. All such documents were left by the Responding Party at the Burbank Police Department, and were never returned to the Responding Party. Responding Party currently has no documents responsive to this request in his possession. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 10:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that YOU were "regularly called a. . . Nip."

RESPONSE TO SPECIAL INTERROGATORY NO. 10:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party was repeatedly subjected to improper and inflammatory race-based comments by certain fellow officers. The comments included, without limitation, the following: Motorcycles were referred to as "rice rockets;" references were made to "DWA," which means "driving while Asian;" certain vehicles were referred to as "Jap makes;" Asians were called "Orientals;" Armenians were called "Armos," "Moes," "Sand Nigger," and "Ians," among other

things; African-Americans were referred to as "Niggers," "Dudes," "Nigras," and "Mud Ducks;" Hispanics were called "Paco," "JoseA," and "JoseB," "Beaners," "Wetbacks," and "Spics;" the Responding Party was called a "Jap" and a "Nip," "Gooks," and "Charlie," and references to World War II were also made. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 11:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to the Interrogatory No. 10.

RESPONSE TO SPECIAL INTERROGATORY NO. 11:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Supervisors: Pat Lynch; Armen Dermenjian; John Murphy; Claudio Losacco; Dan Yadon; Jose Duran; Thor Merich; Gerry Misquez; Eduardo Ruiz; Bill Taylor; Kelly Frank; JJ Puglisi; Ron Caruso; and Chris Canales Officers: Sam Anderson; Brian Gordon; Aron Kendrick; Mike Macias; John Pfrommer; Chris Racina; Chris Robarts; Ken Schiffner; Scott Meadows; Mitch Ross; Gary Seymour; Mike Reyes; Steve Karagosian; Celia Barber (Hawver); Cindy Guillen; Fernando Rojas; Scott Moody; Brian Cosakos; Fernando Munoz; Edeth Hartwick; Dan Arnold (Airport); Greg Kaufman; Mark Stohl; Henry Garay; Jamal Childs. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 12:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 10.

RESPONSE TO SPECIAL INTERROGATORY NO. 12:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party

prepared periodic notes and retained copies of the conduct and/or misconduct described in response to Interrogatory No. 10 above. All such documents were left by the Responding Party at the Burbank Police Department, and were never returned to the Responding Party. Responding Party currently has no documents responsive to this request in his possession. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 13:

State each and every fact (including the speaker(s) and the dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that YOU were "regularly called a. . . Half Breed."

RESPONSE TO SPECIAL INTERROGATORY NO. 13:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: Between approximately 2001-2005, the Responding Party has heard individuals refer to him and others in the Department as "Half-Breeds." Responding Party recalls hearing this response, specifically, on occasions when asked to explain his heritage which is half Japanese. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 14:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 13.

RESPONSE TO SPECIAL INTERROGATORY NO. 14:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party has no information and/or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

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SPECIAL INTERROGATORY NO. 15:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 13.

RESPONSE TO SPECIAL INTERROGATORY NO. 15:

Objection. Calls for speculation and the Responding Party lacks sufficient foundation with which to respond to this request. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 16:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that YOU were "regularly called a. . . Charlie."

RESPONSE TO SPECIAL INTERROGATORY NO. 16:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party was repeatedly subjected to improper and inflammatory race-based comments by certain fellow officers. The comments included, without limitation, the following: Motorcycles were referred to as "rice rockets;" references were made to "DWA," which means "driving while Asian;" certain vehicles were referred to as "Jap makes;" Asians were called "Orientals;" Armenians were called "Armos;" "Moes," "Sand Nigger," and "Ians," among other things; African-Americans were referred to as "Niggers," "Dudes," "Nigras," and "Mud Ducks;" Hispanics were called "Paco," "JoseA," and "JoseB," "Beaners," "Wetbacks," and "Spics;" the Responding Party was called a "Jap" and a "Nip," "Gooks," and "Charlie," and references to World War II were also made. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

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SPECIAL INTERROGATORY NO. 17:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 16.

RESPONSE TO SPECIAL INTERROGATORY NO. 17:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Sam Anderson, Brian Gordon, Aron Kendrick, Mike Macias, John Pfrommer, Chris Robarts, Scott Meadows, Fernando Munoz, Chris Canales Kelly Frank, Dwayne Wolfer, Gerry Misquez, JJ Puglisi, Chris Racina, Ken Schiffner, Ron Caruso, John Dilibert, and any other not mentioned current and former members of SRT. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 18:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 16.

RESPONSE TO SPECIAL INTERROGATORY NO. 18:

Objection. Calls for speculation and the Responding Party lacks sufficient foundation with which to respond to this request. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 19:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that you were "regularly called a. . . Fish Head."

RESPONSE TO SPECIAL INTERROGATORY NO. 19:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as

follows: The Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 20:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 19.

RESPONSE TO SPECIAL INTERROGATORY NO. 20:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 21:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 19.

RESPONSE TO SPECIAL INTERROGATORY NO. 21:

Objection. Calls for speculation and the Responding Party lacks sufficient foundation with which to respond to this request. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 22:

State each and every fact (including the speaker(s), the slurs, and the dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that there were "other" racial slurs or epithets that YOU were "regularly called" in addition to those listed in the second sentence of that paragraph.

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RESPONSE TO SPECIAL INTERROGATORY NO. 22:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 23:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 22.

RESPONSE TO SPECIAL INTERROGATORY NO. 23:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 24:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 22.

RESPONSE TO SPECIAL INTERROGATORY NO. 24:

Objection. Calls for speculation and the Responding Party lacks sufficient foundation with which to respond to this request. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

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SPECIAL INTERROGATORY NO. 25:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that "Comments were also made about Plaintiff's slanted eyes."

RESPONSE TO SPECIAL INTERROGATORY NO. 25:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: In or about years 2006-2007, when asked a questions about why he did not want to eat Chinese food for lunch, Responding Party was told by Dan Yadon "It is your people's food...how could you not like it?" When the Responding Party replied that he is not Chinese, Yadon stated "It's all the same." Yadon also made comments about driving such as, "Asians can't drive...right Dunn?" and "You don't have trouble seeing at night...do you Dunn?" Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 26:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 25.

RESPONSE TO SPECIAL INTERROGATORY NO. 26:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Dan Yadon, Claudio Losacco, Jose Duran, Chris Canales, Ken Schiffner, Mitch Ross, Scott Meadows, Gary Seymour, and Chris Robarts. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 27:

Identify all DOCUMENTS (by author, title and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 25.

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RESPONSE TO SPECIAL INTERROGATORY NO. 27:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 28:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that "Comments were also made about. . . [YOUR] "Chinese" heritage."

RESPONSE TO SPECIAL INTERROGATORY NO. 28:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: In or about years 2006-2007, when asked a questions about why he did not want to eat Chinese food for lunch, Responding Party was told by Dan Yadon "It is your people's food...how could you not like it?" When the Responding Party replied that he is not Chinese, Yadon stated "It's all the same." Yadon also made comments about driving such as, "Asians can't drive...right Dunn?" and "You don't have trouble seeing at night...do you Dunn?" Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 29:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 28.

RESPONSE TO SPECIAL INTERROGATORY NO. 29:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Dan Yadon, Claudio Losacco, Jose

Duran, Chris Canales, Ken Schiffner, Mitch Ross, Scott Meadows, Gary Seymour, and Chris Robarts. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 30:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support to the facts set forth in YOUR response to Interrogatory No. 28.

RESPONSE TO SPECIAL INTERROGATORY NO. 30:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 31:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that "stereotypical jokes" were made about "seeing at night."

RESPONSE TO SPECIAL INTERROGATORY NO. 31:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: In or about years 2006-2007, when asked a questions about why he did not want to eat Chinese food for lunch, Responding Party was told by Dan Yadon "It is your people's food…how could you not like it?" When the Responding Party replied that he is not Chinese, Yadon stated "It's all the same." Yadon also made comments about driving such as, "Asians can't drive…right Dunn?" and "You don't have trouble seeing at night…do you Dunn?" Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

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SPECIAL INTERROGATORY NO. 32:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 31.

RESPONSE TO SPECIAL INTERROGATORY NO. 32:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Dan Yadon, Claudio Losacco, Jose Duran, Chris Canales, Ken Schiffner, Mitch Ross, Scott Meadows, Gary Seymour, and Chris Robarts. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 33:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 31.

RESPONSE TO SPECIAL INTERROGATORY NO. 33:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 34:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that "stereotypical jokes" were made about being "blinded by dental-floss."

RESPONSE TO SPECIAL INTERROGATORY NO. 34:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as

follows: During 2006-2007, an unknown officer told a joke in my presence about being able to "blindfold" someone of Asian descent with "dental floss." The setting was out in the field on a narcotics investigation. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 35:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 34.

RESPONSE TO SPECIAL INTERROGATORY NO. 35:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 36:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 34.

RESPONSE TO SPECIAL INTERROGATORY NO. 36:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 37:

State each and every fact (including the speaker(s), and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that "stereotypical jokes" were made about World War II.

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RESPONSE TO SPECIAL INTERROGATORY NO. 37:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party was repeatedly subjected to improper and inflammatory race-based comments by certain fellow officers. The comments included, without limitation, the following: Motorcycles were referred to as "rice rockets;" references were made to "DWA," which means "driving while Asian;" certain vehicles were referred to as "Jap makes;" Asians were called "Orientals;" Armenians were called "Armós," "Moes," "Sand Nigger," and "Ians," among other things; African-Americans were referred to as "Niggers," "Dudes," "Nigras," and "Mud Ducks;" Hispanics were called "Paco," "JoseA," and "JoseB," "Beaners," "Wetbacks," and "Spics;" the Responding Party was called a "Jap" and a "Nip," "Gooks," and "Charlie," and references to World War II were also made. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 38:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 37.

RESPONSE TO SPECIAL INTERROGATORY NO. 38:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Supervisors: Pat Lynch; Armen Dermenjian; John Murphy; Claudio Losacco; Dan Yadon; Jose Duran; Thor Merich; Gerry Misquez; Eduardo Ruiz; Bill Taylor; Kelly Frank; JJ Puglisi; Ron Caruso; and Chris Canales Officers: Sam Anderson; Brian Gordon; Aron Kendrick; Mike Macias; John Pfrommer; Chris Racina; Chris Robarts; Ken Schiffner; Scott Meadows; Mitch Ross; Gary Seymour; Mike Reyes; Steve Karagosian; Celia Barber (Hawver); Cindy Guillen; Fernando Rojas; Scott Moody; Brian Cosakos;

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Fernando Munoz; Edeth Hartwick; Dan Arnold (Airport); Greg Kaufman; Mark Stohl; Henry Garay; Jamal Childs. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 39:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 37.

RESPONSE TO SPECIAL INTERROGATORY NO. 39:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party prepared periodic notes and retained copies of the conduct and/or misconduct described in response to Interrogatory No. 37 above. All such documents were left by the Responding Party at the Burbank Police Department, and were never returned to the Responding Party. Responding Party currently has no documents responsive to this request in his possession. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 40:

State each and every fact (including the speaker(s), the jokes and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that there were "other" stereotypical jokes that "were also common" in addition to those listed in the third sentences of that paragraph.

RESPONSE TO SPECIAL INTERROGATORY NO. 40:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party was repeatedly subjected to improper and inflammatory race-based comments by certain fellow officers. The comments included, without limitation, the following: Motorcycles were referred to as "rice rockets;" references were made to "DWA," which means "driving while Asian;" certain vehicles were referred to as "Jap makes;" Asians were called

"Orientals;" Armenians were called "Armos," "Moes," "Sand Nigger," and "Ians," among other things; African-Americans were referred to as "Niggers," "Dudes," "Nigras," and "Mud Ducks;" Hispanics were called "Paco," "JoseA," and "JoseB," "Beaners," "Wetbacks," and "Spics;" the Responding Party was called a "Jap" and a "Nip," "Gooks," and "Charlie," and references to World War II were also made. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 41:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 40.

RESPONSE TO SPECIAL INTERROGATORY NO. 41:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Supervisors: Pat Lynch; Armen Dermenjian; John Murphy; Claudio Losacco; Dan Yadon; Jose Duran; Thor Merich; Gerry Misquez; Eduardo Ruiz; Bill Taylor; Kelly Frank; JJ Puglisi; Ron Caruso; and Chris Canales Officers: Sam Anderson; Brian Gordon; Aron Kendrick; Mike Macias; John Pfrommer; Chris Racina; Chris Robarts; Ken Schiffner; Scott Meadows; Mitch Ross; Gary Seymour; Mike Reyes; Steve Karagosian; Celia Barber (Hawver); Cindy Guillen; Fernando Rojas; Scott Moody; Brian Cosakos; Fernando Munoz; Edeth Hartwick; Dan Arnold (Airport); Greg Kaufman; Mark Stohl; Henry Garay; Jamal Childs. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 42:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 40.

RESPONSE TO SPECIAL INTERROGATORY NO. 42:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without

waiving the foregoing objection, the Responding Party responds as follows: The Responding Party prepared periodic notes and retained copies of the conduct and/or misconduct described in response to Interrogatory No. 40 above. All such documents were left by the Responding Party at the Burbank Police Department, and were never returned to the Responding Party. Responding Party currently has no documents responsive to this request in his possession. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 43:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that "When Plaintiff questioned this behavior to his supervisors, he was told that the officers were just joking around and that he should not make a big deal of it."

RESPONSE TO SPECIAL INTERROGATORY NO. 43:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 44:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 43.

RESPONSE TO SPECIAL INTERROGATORY NO. 44:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

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SPECIAL INTERROGATORY NO. 45:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 43.

RESPONSE TO SPECIAL INTERROGATORY NO. 45:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 46:

State each and every fact (including the supervisors involved and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that the "statements" described in that paragraph were "common" and "were made in plain hearing of supervisors and others in position of high authority."

RESPONSE TO SPECIAL INTERROGATORY NO. 46:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: Many of the statements described in response to Request for Demand to Interrogatory No. 1 were common and also were made in plain hearing of supervisors and others in positions of high authority. Many of these statements were made at police functions, training or while on duty. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 47:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 46.

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RESPONSE TO SPECIAL INTERROGATORY NO. 47:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Supervisors: Pat Lynch; Armen Dermenjian; John Murphy; Claudio Losacco; Dan Yadon; Jose Duran; Thor Merich; Gerry Misquez; Eduardo Ruiz; Bill Taylor; Kelly Frank; JJ Puglisi; Ron Caruso; and Chris Canales Officers: Sam Anderson; Brian Gordon; Aron Kendrick; Mike Macias; John Pfrommer; Chris Racina; Chris Robarts; Ken Schiffner; Scott Meadows; Mitch Ross; Gary Seymour; Mike Reyes; Steve Karagosian; Celia Barber (Hawver); Cindy Guillen; Fernando Rojas; Scott Moody; Brian Cosakos; Fernando Munoz; Edeth Hartwick; Dan Arnold (Airport); Greg Kaufman; Mark Stohl; Henry Garay; Jamal Childs. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 48:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 46.

RESPONSE TO SPECIAL INTERROGATORY NO. 48:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party prepared periodic notes and retained copies of the conduct and/or misconduct described in response to Interrogatory No. 46 above. All such documents were left by the Responding Party at the Burbank Police Department, and were never returned to the Responding Party. Responding Party currently has no documents responsive to this request in his possession. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

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SPECIAL INTERROGATORY NO. 49:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 11 of YOUR COMPLAINT that "Because of his heritage, however, Plaintiff was warned away from the position in the" narcotics unit.

RESPONSE TO SPECIAL INTERROGATORY NO. 49:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: In or about September, 2006, the Responding Party met with caption Bill Taylor regarding a promotion. In response to Captain Taylor's inquiry as to Department, the Responding Party would like to be assigned, the Responding Party requested "Vice-Narcotics." At that time, Captain Taylor told the Responding Party "You need to pick somewhere else, because they don't want you there." The Responding Party believes that "they" consisted of Dan Yadon, Claudio Losacco, Mitch Ross, Gary Seymour, Ken Schiffner and Scott Meadows. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 50:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 49.

RESPONSE TO SPECIAL INTERROGATORY NO. 50:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Jose Duran, Sgt Yadon, Claudio Lossaco, Chris Canales, Chris Robarts, Scott Meadows, Mitch Ross, Gary Seymour, Mike Reyes, John Murphy, Bill Taylor, Pat Lynch, Ken Schiffner and Eduardo Ruiz. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

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SPECIAL INTERROGATORY NO. 51:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 49.

RESPONSE TO SPECIAL INTERROGATORY NO. 51:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 52:

State each and every fact (including the supervisor involved and date) that supports YOUR contention in paragraph 11 of YOUR COMPLAINT that "Plaintiff was expressly warned by his supervisor that the "all-white" narcotics unit did not want him there."

RESPONSE TO SPECIAL INTERROGATORY NO. 52:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: In or about September, 2006, the responding Party met with caption Bill Taylor regarding a promotion. In response to Captain Taylor's inquiry as to Department, the Responding Party would like to be assigned, the Responding Party requested "Vice-Narcotics." At that time, Captain Taylor told the Responding Party "You need to pick somewhere else, because they don't want you there." The Responding Party believes that "they" consisted of Dan Yadon, Claudio Losacco, Mitch Ross, Gary Seymour, Ken Schiffner and Scott Meadows. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 53:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 52.

RESPONSE TO SPECIAL INTERROGATORY NO. 53:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Jose Duran, Sgt Yadon, Claudio Lossaco, Chris Canales, Chris Robarts, Scott Meadows, Mitch Ross, Gary Seymour, Mike Reyes, John Murphy, Bill Taylor, Pat Lynch, Ken Schiffner and Eduardo Ruiz. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 54:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 52.

RESPONSE TO SPECIAL INTERROGATORY NO. 54:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 55:

State each and every fact (including dates) that supports YOUR contention in paragraph 12 of YOUR COMPLAINT that "Immediately upon being assigned to the unit, Plaintiff was treated differently than the white officers."

RESPONSE TO SPECIAL INTERROGATORY NO. 55:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party is informed and believes that the conduct responsive to this request, includes without limitation, the following:

A. Sgt. Yadon made race-based comments to Responding Party as described in the Response to Interrogatory No. 1. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

B. Claudio Losacco was unfriendly to the Responding Party. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

C. Responding Party was not invited to lunch with the officers on the Narcotic unit. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

D. Mitch Ross stated "You know they don't want you here." Responding Party is informed and believes that he was referring to Dan Yadon and Claudio Losacco. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

E. Responding Party was assigned less desirable tasks by Sgt. Yadon under the guise of "training." Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 56:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 55.

RESPONSE TO SPECIAL INTERROGATORY NO. 56:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Jose Duran, Sgt Yadon, Claudio Lossaco, Chris Canales, Chris Robarts, Scott Meadows, Mitch Ross, Gary Seymour, Mike Reyes, John Murphy, Bill Taylor, Pat Lynch, Ken Schiffner and Eduardo Ruiz. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

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SPECIAL INTERROGATORY NO. 57:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 55.

RESPONSE TO SPECIAL INTERROGATORY NO. 57:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party prepared periodic notes and retained copies of the conduct and/or misconduct described in response to Interrogatory No. 55 above. All such documents were left by the Responding Party at the Burbank Police Department, and were never returned to the responding Party. Responding Party currently has no documents responsive to this request in his possession. In addition, the Responding Party believes that there are numerous documents which refer to his scheduling and/or assignments while working for the Burbank Police Department which may be responsive to this request. The Responding Party does not have those documents in his possession, custody and/or control. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 58:

State each and every fact (including the speaker(s) and help not given) that supports YOUR contention in paragraph 12 of YOUR COMPLAINT that "most were reluctant to assist Plaintiff in fear of retaliation from the more powerful and politically connected among them."

RESPONSE TO SPECIAL INTERROGATORY NO. 58:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party is informed and believes that it's common knowledge in the Burbank Police Department that an officer making against other officers, for whatever reason, would be ostracized and ultimately demoted or suffer other retaliation. As a result, the Responding Party

believes that most officers were reluctant to assist him as set forth in paragraph 12 of the complaint. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 59:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 58.

RESPONSE TO SPECIAL INTERROGATORY NO. 59:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party is informed and believes that witnesses responsive to this request include all current members of the Burbank Police Department, former and retired members, and civilian employees. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 60:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 58.

RESPONSE TO SPECIAL INTERROGATORY NO. 60:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party is informed and believes that Burbank Police Department has in its possession numerous documents concerning the acts and actions and wrongdoings of various police officers within the Burbank Police Department which are responsive to this request. Because Responding Party does not have access to these documents, the Responding Party can not identify the documents specifically by name at the present time. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 61:

State each and every fact (including the speaker(s), the comments, and the dates) that supports YOUR contention in paragraph 12 of YOUR COMPLAINT that "inappropriate and insensitive race-based comments and jokes were commonplace" in the narcotics unit.

RESPONSE TO SPECIAL INTERROGATORY NO. 61:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: Inappropriate and insensitive race-based comments and jokes were commonplace in the Narcotics unit. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 62:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 61.

RESPONSE TO SPECIAL INTERROGATORY NO. 62:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Supervisors: Pat Lynch; Armen Dermenjian; John Murphy; Claudio Losacco; Dan Yadon; Jose Duran; Thor Merich; Gerry Misquez; Eduardo Ruiz; Bill Taylor; Kelly Frank; JJ Puglisi; Ron Caruso; and Chris Canales Officers: Sam Anderson; Brian Gordon; Aron Kendrick; Mike Macias; John Pfrommer; Chris Racina; Chris Robarts; Ken Schiffner; Scott Meadows; Mitch Ross; Gary Seymour; Mike Reyes; Steve Karagosian; Celia Barber (Hawver); Cindy Guillen; Fernando Rojas; Scott Moody; Brian Cosakos; Fernando Munoz; Edeth Hartwick; Dan Arnold (Airport); Greg Kaufman; Mark Stohl; Henry Garay; Jamal Childs. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

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SPECIAL INTERROGATORY NO. 63:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 61.

RESPONSE TO SPECIAL INTERROGATORY NO. 63:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party prepared periodic notes and retained copies of the conduct and/or misconduct described in response to Interrogatory No. 61 above. All such documents were left by the Responding Party at the Burbank Police Department, and were never returned to the Responding Party. Responding Party currently has no documents responsive to this request in his possession. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 64:

State each and every fact (including the speaker and date) that supports YOUR contention in paragraph 12 of YOUR COMPLAINT that "Plaintiff was again told by a coworker in the narcotics unit, "you know they don't want you here."

RESPONSE TO SPECIAL INTERROGATORY NO. 64:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: After the Responding Party was assigned to the narcotics unit, Officer Mitch Ross told the Responding Party "you know they don't want you here." Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 65:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 64.

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RESPONSE TO SPECIAL INTERROGATORY NO. 65:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Mitch Ross. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 66:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 64.

RESPONSE TO SPECIAL INTERROGATORY NO. 66:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 67:

State each and every fact (including the assignments involved and dates) that supports YOUR contention in paragraph 12 of YOUR COMPLAINT that "Plaintiff was given the less desirable assignments in the unit, even though at the time he had more narcotics seizures than any other officer in the department."

RESPONSE TO SPECIAL INTERROGATORY NO. 67:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party was given less desirable assignments in the unit, even though at the

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time he had more narcotic seizures than any other office in the Department. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 68:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 67.

RESPONSE TO SPECIAL INTERROGATORY NO. 68:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Jose Duran, Sgt Yadon, Claudio Lossaco, Chris Canales, Chris Robarts, Scott Meadows, Mitch Ross, Gary Seymour, Mike Reyes, John Murphy, Bill Taylor, Pat Lynch, Ken Schiffner and Eduardo Ruiz. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 69:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 67.

RESPONSE TO SPECIAL INTERROGATORY NO. 69:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party prepared periodic notes and retained copies of the conduct and/or misconduct described in response to Interrogatory No. 67 above. All such documents were left by the Responding Party at the Burbank Police Department, and were never returned to the responding Party. Responding Party currently has no documents responsive to this request in his possession. In addition, the Responding Party believes that there are numerous documents which refer to his scheduling and/or assignments while working for the Burbank Police Department which may be responsive to this request. The

Responding Party does not have those documents in his possession, custody and/or control. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 70:

State each and every fact (including whom, how, and the date the report was made) that supports YOUR contention in paragraph 12 of YOUR COMPLAINT that "Plaintiff reported the. . . disparate and discriminatory treatment" described in that paragraph "and the instigator. . .was reassigned back to the patrol division."

RESPONSE TO SPECIAL INTERROGATORY NO. 70:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party reported the disparate and discriminatory treatment described in these Interrogatories, and the instigator was assigned back the patrol division. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 71:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 70.

RESPONSE TO SPECIAL INTERROGATORY NO. 71:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Jose Duran, Sgt Yadon, Claudio Lossaco, Chris Canales, Chris Robarts, Scott Meadows, Mitch Ross, Gary Seymour, Mike Reyes, John Murphy, Bill Taylor, Pat Lynch, Ken Schiffner, Eduardo Ruiz and Thor Merich. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

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SPECIAL INTERROGATORY NO. 72:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 70.

RESPONSE TO SPECIAL INTERROGATORY NO. 72:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party is informed and believes that the Burbank Police Department is in possession of numerous documents concerning the discipline described in response to the prior Interrogatories. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 73:

State each and every fact that supports YOUR contention in paragraph 15 of YOUR COMPLAINT that Lt. Eric Rosoff was "Sgt. Yadon's close personal friend, business partner and confidant."

RESPONSE TO SPECIAL INTERROGATORY NO. 73:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party is informed and believes that Eric Rosoff was Sgt. Yadon's close, personal friend, business partner and confidant. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 74:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 73.

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RESPONSE TO SPECIAL INTERROGATORY NO. 74:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party is informed and believes that this was common knowledge within the Department and that the majority of civilian and sworn departmental personnel were aware of these facts. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 75:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 73.

RESPONSE TO SPECIAL INTERROGATORY NO. 75:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party is informed and believes that documents exist responsive to this request including Articles of Incorporation for the Career Survival Group, A California Corporation, as well as documentation from its website. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 76:

State each and every fact that supports YOUR contention in paragraph 16 of YOUR COMPLAINT that "the investigation into the alleged incident was incomplete, irregular and not within the normal practices of the Burbank PD" and that "these irregularities and abnormal practices resulted from the direct involvement of Lt. Rosoff, in retaliation for Plaintiff's complaints against. . . Sgt. Yadon."

RESPONSE TO SPECIAL INTERROGATORY NO. 76:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes

facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party is informed and believes that the investigation into the alleged incident was incomplete; irregular and not within the normal practices of the Burbank Police Department. Further these irregularities resulted from the direct involvement of Lt. Rossoff and Sgt. Yadon. The irregularities and abnormal practices include, without limitation, unsubstantiated charges, witnesses who recanted, evidence of witness tampering, and evidence theft and/or destruction. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 77:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 76.

RESPONSE TO SPECIAL INTERROGATORY NO. 77:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Thor Merich, Gerry Misquez, Eric Rosoff, Jose Duran, Bill Taylor, Koffman (CCPD), Janice Lowers, Stuart Adams (Attorney), Armen Dermenjian, Chris Robarts, Chris Canales, Omar Rodriguez, Juli Scott, Tim Stehr, Webb (CCPD), Confidential Informant, Confidential Informant's sister, Mike Reyes, Don Tabak (PI). Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 78:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 76.

RESPONSE TO SPECIAL INTERROGATORY NO. 78:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party is

informed and believes that the Burbank Police Department Memo authored by Sgt. Thor Merich to Chief Stehr concerning "witness tampering" is responsive to this request, along with Burbank Police documents pertaining to the investigation of the confidential witness in the possession of the Burbank Police Department and/or the Culver City Police Department, as well as documents pertaining to the Complaints filed by the Responding Party of discrimination and harassment within the department. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 79:

State each and every fact that supports YOUR contention in paragraph 18 of YOUR COMPLAINT that "the true reason" for YOUR termination from the Burbank Police Department was because of YOUR "race, ethnicity and/or national origin, and in retaliation for Plaintiff's complaints of harassment and discrimination against Sgt. Yadon and Lt. Rosoff."

RESPONSE TO SPECIAL INTERROGATORY NO. 79:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party is informed and believes that the true reason for his termination was because of his race, ethnicity and/or national origin and because he complained of harassment and discrimination against Sgt. Yadon and Lt. Rossoff. The reason for the Responding Party's belief is because, without limitation, the Responding Party had no history of disciplinary action, the investigation into the complaints against him contained numerous irregularities, inconsistencies and problems as described in responses to these Interrogatories, and witnesses, including without limitation, Sgt. Thor Merich, were asked to change their testimony with respect to the investigation. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 80:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 79.

RESPONSE TO SPECIAL INTERROGATORY NO. 80:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Thor Merich, Gerry Misquez, Eric Rosoff, Jose Duran, Bill Taylor, Koffman (CCPD), Janice Lowers, Stuart Adams (Attorney), Armen Dermenjian, Chris Robarts, Chris Canales, Omar Rodriguez, Juli Scott, Tim Stehr, Webb (CCPD), Confidential Informant, Confidential Informant's sister, Mike Reyes, Don Tabak (PI), and Anthony Valento. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 81:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 72.

RESPONSE TO SPECIAL INTERROGATORY NO. 81:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party is informed and believes that the Burbank Police Department Memo authored by Sgt. Thor Merich to Chief Stehr concerning "witness tampering" is responsive to this request, documents pertaining to the investigation of the confidential witness in the possession of the Burbank Police Department and/or the Culver City Police Department, as well as documents pertaining to the Complaints filed by the Responding Party of discrimination and harassment within the department. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 82:

State each and every fact (including all steps taken and dates) that supports YOUR contention in paragraph 19 of YOUR COMPLAINT that "Plaintiff has properly exhausted his administrative remedies."

RESPONSE TO SPECIAL INTERROGATORY NO. 82:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party is informed and believes that he has properly exhausted his administrative remedies including, without limitation, obtaining of Right to Sue Letter from the Department of Fair Employment and Housing and filing a claim of damages with the City of Burbank and the Burbank Police Department. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 83:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 82.

RESPONSE TO SPECIAL INTERROGATORY NO. 83:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party is a witness, as are unknown individuals at the Department of Fair Employment and Housing and the City of Burbank/Burbank Police Department. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 84:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 82.

RESPONSE TO SPECIAL INTERROGATORY NO. 84:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party is informed and believes that the Department of Fair Employment and Housing documentation

including, without limitation, the Right to Sue letter as well as the City of Burbank/Burbank Police Department claim for damages are responsive to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 85:

State each and every fact (including specifics actions and policies, speakers(s) and dates) that supports YOUR contention in paragraph 22 of YOUR COMPLAINT that YOU were "subjected to discrimination and discriminatory policies, practices and procedures based upon race, ancestry and national origin, among other things" while working for the City.

RESPONSE TO SPECIAL INTERROGATORY NO. 85:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party is informed and believes that he was subjected to disparate treatment based upon race, ancestry and national origin, among things while working for the City of Burbank as a Burbank police officer. Responding Party is informed and believes that the conduct described in response to previous Interrogatories is responsive to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 86:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 85.

RESPONSE TO SPECIAL INTERROGATORY NO. 86:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: All witnesses identified in response to requests in these responses are responsive to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

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SPECIAL INTERROGATORY NO. 87:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 85.

RESPONSE TO SPECIAL INTERROGATORY NO. 87:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: All documents identified in responses to these Interrogatories are responsive to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 88:

State each and every fact (including specific actions, speaker(s) and dates) that supports YOUR contention in paragraph 32 of YOUR COMPLAINT that YOU were "subjected to unlawful harassment based upon race, ancestry and national origin, among other things" while working for the City.

RESPONSE TO SPECIAL INTERROGATORY NO. 88:

Objection. This Interrogatory is duplicative of Interrogatory No. 85 and, therefore, could only have been propounded to harass, vex and/or annoy Responding Party. The response to this Interrogatory is identical to the response to Interrogatory No. 85.

SPECIAL INTERROGATORY NO. 89:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 88.

RESPONSE TO SPECIAL INTERROGATORY NO. 89:

Objection. This Interrogatory is duplicative of Interrogatory No. 86 and, therefore, could only have been propounded to harass, vex and/or annoy Responding Party. The response to this Interrogatory is identical to the response to Interrogatory No. 86.

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SPECIAL INTERROGATORY NO. 90:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 88.

RESPONSE TO SPECIAL INTERROGATORY NO. 90:

Objection. This Interrogatory is duplicative of Interrogatory No. 87 and, therefore, could only have been propounded to harass, vex and/or annoy Responding Party. The response to this Interrogatory is identical to the response to Interrogatory No. 87.

SPECIAL INTERROGATORY NO. 91:

State each and every fact (including specific actions, speaker(s) and dates) that supports YOUR contention in paragraph 42-46 of YOUR COMPLAINT that defendant retaliated against YOU for "reporting and complaining of harassment and discrimination at the Department."

RESPONSE TO SPECIAL INTERROGATORY NO. 91:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party believes that he was terminated because he reported and complained of harassment and discrimination of the Department. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 92:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 91.

RESPONSE TO SPECIAL INTERROGATORY NO. 92:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Tim Stehr, Juli Scott, Mike Flad, Bill Taylor, Omar Rodriguez, Jose Duran, Thor Merich and Janice Lowers. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 93:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 91.

RESPONSE TO SPECIAL INTERROGATORY NO. 93:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party is informed and believes that the Burbank Police Department Memo authored by Sgt. Thor Merich to Chief Stehr concerning "witness tampering" is responsive to this request, along with Burbank Police Department internal documents and memorandums concerning burglaries that occurred in the narcotics office and at the Responding Party's desk, documents pertaining to the investigation of the confidential witness in the possession of the Burbank Police Department and/or the Culver City Police Department, as well as documents pertaining to the Complaints filed by the Responding Party of discrimination and harassment within the department. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 94:

State each and every fact (including the speaker(s) and dates) that supports YOUR contention in paragraph 52 of YOUR COMPLAINT that defendants "failed to take reasonable steps to prevent harassment discrimination and retaliation from occurring."

RESPONSE TO SPECIAL INTERROGATORY NO. 94:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds, without limitation, as follows: Responding Party is informed and believes that Defendants failed to take reasonable steps to prevent harassment and discrimination and retaliation from occurring. This includes, without limitation, the failure to properly investigate claims of harassment, discrimination and retaliation within the Department, failure to implement appropriate procedures to prevent

harassment, discrimination and retaliation, the failure to investigate burglaries of police documents which were stolen from the Department, the failure to investigate Thor Merich's claims of witness tampering, the failure to properly impose discipline on those found responsible for harassment, discrimination and/or retaliation. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 95:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 94.

RESPONSE TO SPECIAL INTERROGATORY NO. 95:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party is informed and believes that the majority of the members of the Burbank Police Department are responsive to this request, including, without limitation, Bill Taylor, Juli Scott, Tim Stehr, Eric Rosoff, Omar Rodriguez, Janice Lowers, Jose Duran, Mike Reyes, Chris Canales, Neil Gunn, JJ Puglisi, Gerry Misquez and Armen Dermenjian. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 96:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 94.

RESPONSE TO SPECIAL INTERROGATORY NO. 96:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party is informed and believes that the Burbank Police Department Memo authored by Sgt. Thor Merich to Chief Stehr concerning "witness tampering" is responsive to this request, documents pertaining to the investigation of the confidential witness in the possession of the Burbank Police Department

and/or the Culver City Police Department, as well as documents pertaining to the Complaints filed by the Responding Party of discrimination and harassment within the department. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 97:

State each and every fact (including specific actions, speaker(s) and dates) that supports YOUR contention in paragraph 9 of YOUR COMPLAINT that defendants "violated Government Code section 3304, and the fundamental, substantial, and well-established public policies embodied therein" as to YOU.

RESPONSE TO SPECIAL INTERROGATORY NO. 97:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party is informed and believes that the conduct responsive to this request, includes without limitation, the following:

a. Scrutinizing Responding Party's work more carefully than Caucasian officers. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

b. Causing false charges to be filed against certain the Responding Party including initiating personal complaints, or claims of misconduct against them, among other things, as more fully described above. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

c. Failing to properly investigate claims of harassment, discrimination and retaliation, and the additional failure to appropriately impose discipline on the offending employees, among other things, as more fully described above. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

d. Attempting to terminate, demote, or otherwise discipline the Responding Party, among other things, as more fully described above. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

e. Improperly following the officers on their daily routines, and harassing them to force them out of the Department, among other things, as more fully described above. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

f. Placing officers on administrative leave, removing them from positions of authority, and making difficult and demeaning assignments to seasoned officers only after they have filled complaints of discrimination, harassment or retaliation. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

g. Failing to follow standard investigatory procedures into complaints of misconduct and/or poor performance lodged against the individual Responding Party herein, by failing to complete the investigation with one (1) year, among other things. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 98

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 97.

RESPONSE TO SPECIAL INTERROGATORY NO. 98:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party is informed and believes that the majority of the members of the Burbank Police Department are responsive to this request, including, without limitation, Bill Taylor, Juli Scott, Tim Stehr, Eric Rosoff, Omar Rodriguez, Janice Lowers, Jose Duran, Mike Reyes, Chris Canales, Neil Gunn, JJ Puglisi, Gerry

Misquez and Armen Dermenjian. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 99:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 97.

RESPONSE TO SPECIAL INTERROGATORY NO. 99:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party is informed and believes that all documents responsive to this request are currently in the possession, custody and/or control of the Burbank Police Department. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 100:

If you contend that you exercised rights under "any existing administrative grievance procedure" while employed by the City, state each and every fact that supports this contention, including the nature of and date of such actions.

RESPONSE TO SPECIAL INTERROGATORY NO. 100:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party is informed and believes that he exercised his rights under existing administrative grievance procedures including, without limitation, his efforts to administratively contest his termination. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 101:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 100.

RESPONSE TO SPECIAL INTERROGATORY NO. 101:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Tim Stehr, Juli Scott, Dennis Barlow, Mike Flad, and other unknown members of the Burbank Police Department. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 102:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 100.

RESPONSE TO SPECIAL INTERROGATORY NO. 102:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: In pursuit of his administrative remedies, the Responding Party is aware of numerous documents which exist, but are not in his possession, custody and/or control, relating to his administrative procedure up through, and including, documents pertaining to an Arbitration (which was never concluded). Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 103:

If you contend that you exercised rights under the Public Safety Officers' Procedural Bill of Rights Act while employed by the City, state and every fact that supports this contention, including the nature of and date of such actions.

RESPONSE TO SPECIAL INTERROGATORY NO. 103:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as

follows: The Responding Party is informed and believes that the conduct responsive to this request, includes without limitation, the following:

a. Scrutinizing Responding Party's work more carefully than Caucasian officers. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

b. Causing false charges to be filed against the Responding Party including initiating personal complaints, or claims of misconduct against them, among other things, as more fully described above. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

c. Failing to properly investigate claims of harassment, discrimination and retaliation, and the additional failure to appropriately impose discipline on the offending employees, among other things, as more fully described above. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

d. Attempting to terminate, demote, or otherwise discipline the Responding Party, among other things, as more fully described above. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

e. Improperly following the officers on their daily routines, and harassing them to force them out of the Department, among other things, as more fully described above. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

f. Placing officers on administrative leave, removing them from positions of authority, and making difficult and demeaning assignments to seasoned officers only after they have filled complaints of discrimination, harassment or retaliation. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

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g. Failing to follow standard investigatory procedures into complaints of misconduct and/or poor performance lodged against the individual Responding Party herein, by failing to complete the investigation with one (1) year, among other things. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 104:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 103.

RESPONSE TO SPECIAL INTERROGATORY NO. 104:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party is informed and believes that the majority of the members of the Burbank Police Department are responsive to this request, including, without limitation, Bill Taylor, Juli Scott, Tim Stehr, Eric Rosoff, Omar Rodriguez, Janice Lowers, Jose Duran, Mike Reyes, Chris Canales, Neil Gunn, JJ Puglisi, Gerry Misquez and Armen Dermenjian. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 105:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 103.

RESPONSE TO SPECIAL INTERROGATORY NO. 105:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party is informed and believes that all documents responsive to this request are currently in the possession, custody and/or control of the Burbank Police Department. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 106:

State each and every fact (including specific actions, individuals and dates) that supports YOUR contention in paragraph 65 of YOUR COMPLAINT that defendants have engaged in "other practices" besides retaliation which violated YOUR rights under the Public Safety Officers' Procedural Bill of Rights Act.

RESPONSE TO SPECIAL INTERROGATORY NO. 106:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party has no information or belief of which to respond to this Interrogatory. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 107:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 106.

RESPONSE TO SPECIAL INTERROGATORY NO. 107:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 108:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 106.

RESPONSE TO SPECIAL INTERROGATORY NO. 108:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without

waiving the foregoing objection, the Responding Party responds as follows: The Responding Party has no information or belief with which to respond to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 109:

State each and every fact that supports YOUR contention in paragraph 67 and 68 of YOUR COMPLAINT that the conduct pf defendants in violation of the Public Safety Officers' Procedural Bill of Rights Act "was done with malice and with a conscious disregard for Plaintiff's rights, and with the intent, design and purpose of injuring the Plaintiff" and was "willful, knowing, and intentional."

RESPONSE TO SPECIAL INTERROGATORY NO. 109:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party is informed and believes that the conduct of Defendants as alleged in the complaint was done with malice and with a conscious disregard for Responding Party's rights, and for the purpose of injuring the Responding Party and was wilful, knowing and intentional. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 110:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 109.

RESPONSE TO SPECIAL INTERROGATORY NO. 110:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: Bill Taylor, Tim Stehr, Jose Duran, Omar Rodriguez, Gerry Misquez, Armen Dermenjian, Stuart Adams (Attorney), Mike Reyes, Neil Gunn, Janice Lowers, Chris Canales, Chris Robarts and more. Discovery is ongoing and

the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 111:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 109.

RESPONSE TO SPECIAL INTERROGATORY NO. 111:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party is informed and believes that the Burbank Police Department Memo authored by Sgt. Thor Merich to Chief Stehr concerning "witness tampering" is responsive to this request, documents pertaining to the investigation of the confidential witness in the possession of the Burbank Police Department and/or the Culver City Police Department, as well as documents pertaining to the Complaints filed by the Responding Party of discrimination and harassment within the department. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 112:

State each and every fact (including specific actions, speaker(s) and dates) that supports YOUR contention in paragraph 67 of YOUR COMPLAINT that "the Burbank PD Defendants, and each of them, through their officers, managing agents and/or supervisors, authorized, condoned, ratified or otherwise adopted unlawful malicious conduct of the Police officer Defendants."

RESPONSE TO SPECIAL INTERROGATORY NO. 112:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as

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follows: The Responding Party has no information or belief with which to respond to this request, as there are no "police officer defendants" alleged in the complaint. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 113:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 112.

RESPONSE TO SPECIAL INTERROGATORY NO. 113:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party has no information or belief with which to respond to this request, as there are no "police officer defendants" alleged in the complaint. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 114:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 112.

RESPONSE TO SPECIAL INTERROGATORY NO. 114:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: The Responding Party has no information or belief with which to respond to this request, as there are no "police officer defendants" alleged in the complaint. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 115:

Please list by name, address, and phone number, all medical, psychological, psychiatric, counseling, mental health or health care providers that YOU consulted or received treatment from as a result of conduct, damages or injuries set forth in YOUR COMPLAINT.

RESPONSE TO SPECIAL INTERROGATORY NO. 115:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party sought treatment with Dr. Naveen Sharma of the Ventura Cardiology Specialists. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 116:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 115.

RESPONSE TO SPECIAL INTERROGATORY NO. 116:

Objection. Calls for speculation and the Responding Party lacks foundation with which to adequately respond. This Interrogatory is not full and complete in and of itself. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party and Dr. Sharma are responsive to this request. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 117:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 115.

RESPONSE TO SPECIAL INTERROGATORY NO. 117:

Objection. Calls for legal conclusion and/or expert opinion beyond the purview of the Responding Party. This Interrogatory is not full and complete in and of itself. Further, this Interrogatory calls for speculation, lacks foundation and assumes facts not in evidence. Without waiving the foregoing objection, the Responding Party responds as follows: Responding Party is informed and believes that medical records exist which are in the possession, custody and/or control of Dr. Sharma. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

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SPECIAL INTERROGATORY NO. 118:

Please describe all damages that YOU claim to have suffered as a result of the allegedly wrongful conduct of defendants set forth in YOUR COMPLAINT, including the method of calculation.

RESPONSE TO SPECIAL INTERROGATORY NO. 118:

Objection. This Interrogatory is duplicative of Form Interrogatory served simultaneously with these Special Interrogatories and, therefore, could only be intended to harass, vex, annoy and burden the Responding Party. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 119:

Identify all witnesses (by name, address and telephone number) to the facts set forth in YOUR response to Interrogatory No. 118.

RESPONSE TO SPECIAL INTERROGATORY NO. 119:

Objection. This Interrogatory is duplicative of Form Interrogatory served simultaneously with these Special Interrogatories and, therefore, could only be intended to harass, vex, annoy and burden the Responding Party. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

SPECIAL INTERROGATORY NO. 120:

Identify all DOCUMENTS (by author, title, and date) that reflect, refer to, relate to or support the facts set forth in YOUR response to Interrogatory No. 118.

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RESPONSE TO SPECIAL INTERROGATORY NO. 120:

Objection. This Interrogatory is duplicative of Form Interrogatory served simultaneously with these Special Interrogatories and, therefore, could only be intended to harass, vex, annoy and burden the Responding Party. Discovery is ongoing and the Responding Party reserves the right to amend this response when more information becomes known.

Dated: November 23, 2009

LAW OFFICES OF RHEUBAN & GRESEN

By: _____
STEVEN V. RHEUBAN, Esq.
Attorneys For Plaintiff, CHRISTOPHER LEE DUNN

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I have read the foregoing **SPECIAL INTERROGATORIES** and know its contents.

XX I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

___ I am an officer ____ Partner

___ a _____ of _____ a party to this action, and am authorized to make this verification for and on its 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.

___ The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

___ I am one of the attorneys for _____ a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on 11-2/-09, at LOS ANGELES, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Christopher Lee Dunn

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles. I am over the age of eighteen and am not a party to the within action. My business address is 15910 Ventura Boulevard, Suite 1610, Encino, California 91436.

On November 23, 2009, I served a copy of the following document described as **PLAINTIFF CHRISTOPHER LEE DUNN'S RESPONSES TO SPECIAL INTERROGATORIES PROPOUNDED BY THE CITY OF BURBANK; VERIFICATION** on the interested parties in this action as follows:

Kristin A. Pelletier, Esq.
Burke, Williams & Sorensen, LLP
444 South Flower Street, Suite 2400
Los Angeles, California 90071
FACSIMILE: (213) 236-2700

___ **BY MAIL:** By placing a true copy thereof enclosed in a sealed envelope(s) addressed as above, and placing each for collection and mailing on that date following ordinary 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 U.S. mail Postal Service in Los Angeles, California, in a sealed envelope with postage fully prepaid.

XX **BY OVERNIGHT DELIVERY:** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed as above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

___ **BY FACSIMILE:** Based on an agreement of the parties to accept service by facsimile transmission, I faxed the documents to the person(s) at the facsimile numbers listed above. The telephone number of the sending facsimile machine is (818) 815-2737. The sending facsimile machine issued a transmission report confirming that the transmission was complete and without error. A copy of that report showing the time of service is attached.

___ **BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the person(s) at the e-mail address listed above. My electronic notification address is ag@rglawyers.com. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. A copy of the electronic transmission showing the time of service is attached.

XX **STATE:** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

EXECUTED on November 23, 2009, at Encino, California.

Annette Goldstein

(SPACE BELOW FOR FILING STAMP ONLY)

SOLOMON E. GRESEN [SBN: 164783]
STEVEN V. RHEUBAN [SBN: 48538]
LAW OFFICES OF RHEUBAN & GRESEN
15910 Ventura Boulevard, SUITE 1610
ENCINO, CALIFORNIA 91436
TELEPHONE: (818) 815-2727
FACSIMILE: (818) 815-2737

Attorneys for Plaintiff, CHRISTOPHER LEE DUNN

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES - CENTRAL DISTRICT

CHRISTOPHER LEE DUNN, Plaintiff, -vs- BURBANK POLICE DEPARTMENT, CITY OF BURBANK, AND DOES 1 THROUGH 25, INCLUSIVE, Defendants.	CASE NO.: BC 417928 **PLAINTIFF CHRISTOPHER LEE DUNN'S RESPONSES TO FORM INTERROGATORIES - EMPLOYMENT LAW PROPOUNDED BY THE CITY OF BURBANK** SET NO. ONE Complaint Filed: July 16, 2009 Assigned to: Department 31

PROPOUNDING PARTY: DEFENDANT CITY OF BURBANK

RESPONDING PARTY: PLAINTIFF CHRISTOPHER LEE DUNN

SET NUMBER: ONE

TO DEFENDANTS, CITY OF BURBANK AND TO THEIR ATTORNEY(S) OF RECORD:

Plaintiff, CHRISTOPHER LEE DUNN, hereby responds to Defendant, CITY OF BURBANK's Form Interrogatories - Employment Law as follows:

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INTRODUCTION

It should be noted that responding party has not fully completed investigation of the facts relating to this matter, has not fully completed discovery in this action nor preparation for trial. Further discovery, independent investigation, legal research and analysis may expose additional facts which may lead to substantial changes in the responses herein set forth. Therefore, the following responses are given without prejudice to responding party's right to introduce evidence of any subsequently discovered facts contained herein which responding party may later obtain or discover. Responding party accordingly reserves the right to supplement the responses herein below as additional facts are ascertained, analyses are made, legal research is completed and contentions are further developed.

FORM INTERROGATORY NO. 202.1:

Do you contend that any ADVERSE EMPLOYMENT ACTIONS against you were discriminatory? If so:

(a) identify each ADVERSE EMPLOYMENT ACTION that involved unlawful discrimination;

(b) identify each characteristic (for example, gender, race, age, etc.) on which you base your claim or claims of discrimination;

(c) state all facts upon which you base each claim of discrimination;

(d) state the name, ADDRESS, and telephone number of each PERSON with knowledge of those facts; and

(e) identify all DOCUMENTS evidencing those facts.

RESPONSE TO FORM INTERROGATORY NO. 202.1:

Objection, calls for a legal conclusion and/or expert opinion beyond the purview of the responding party. Further, this interrogatory calls for speculation and the responding party lacks foundation in which to respond. The responding party does not have personal knowledge sufficient to respond to this request, however, the responding party has made the appropriate inquiry as required under the Code and the following response is based upon information and belief thereon. Without waiving the foregoing objections, the responding party replies as follows: Yes.

(a) the responding party was subjected to a termination and reprimands which are responsive to this request. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(b) race, national origin and/or ancestry. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(c) For four years in the late 1980's and the early 1990's, I served his country in the United States Army, as a Military Police Investigator, where I conducted civilian and military criminal investigations for my unit. I also served as a patrolman, protective services detail, point man on the Special Response Team (SRT), and was a qualified expert in all classes of assigned weapon systems. My awards and commendations included, without limitation, the 1988 Top Rookie award and a 1989 Army Achievement Medal, among others. I joined a police force in 1995 as a police officer with the Los Angeles Police Department ("LAPD"). During my tenure at LAPD, I was a Team Leader of a divisional Special Enforcement Group specializing in career criminal investigation and fugitive apprehension. I was also a member of the East LA anti-gang unit CRASH unit, or Community Resources Against Street Hoodlums, and at times served as a divisional firearms and tactics instructor. In1998, I received the LAPD Medal of Valor, presented to a very select few for courage under fire. The very next year, President Bill Clinton and Vice President Al Gore presented me with the 1999 Top Cop Award for exceptional valor above and beyond the call of duty. In March, 2001, I was transferred from LAPD to COB/Burbank PD. During my tenure at COB/Burbank PD, I at times served as a field training officer, a POST certified defensive tactics instructor, a Special Enforcement Detail (SED) investigator, and Special Response Team (SRT) member/instructor. At all times, I discharged my duties in a capable, competent and professional manner. In 2007, I received the Professional Esteem Award from the

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Burbank City Council, and in 2007, and also received the Organized Crime Drug Enforcement Task Force Award ("OCDETF"), awarded by (then) US Attorney General, Alberto Gonzales.

During my tenure at COB/Burbank PD, I was repeatedly subjected to improper and inflammatory race-based comments by certain fellow officers. Racial slurs and epithets were commonly used by those same officers, and I was regularly called a "Jap," "Nip," and "Half Breed," among others. Comments were also made about my "slanted eyes," my "Chinese" heritage (though I am Japanese), and stereotypical jokes about "seeing at night" and being "blindfolded by dental-floss," and "World War II," among others, were also common.

Because these statements were so common and were made in plain hearing of supervisors and others in positions of high authority. I did not pursue my complaints - believing them to be futile.

I was also witness to numerous other offensive and racially insensitive comments made about members of other races, both officers and suspects alike. Armenians were called, "Armo's, " "Moes," "Ian's," "Sand Niggers," and the like. Blacks were called "Nigger," "Gangstas," and "Gee's," among others. Vehicles driven by minorities were referred to as "Rice Rockets" or "Gee-rides," and unidentified African-American suspects were sometimes booked as "Tyrone Doe" instead of "John Doe." Hispanics were called "Mexicans," "Beaners," "Spics," "Taco Vendors" and the like, and unknown Hispanic suspects were often booked as "Juan Doe" instead of "John Doe." Again, because these statements were so common and were made in plain hearing of supervisors and others in positions of high authority, I did not pursue any complaints - believing them to be futile.

In September of 2006, I was assigned to the Special Enforcement Detail ("SED"). The SED team routinely is involved in serious, high risk, high-profile investigations. I had an outstanding record and received several commendations for duties performed as a member of the SED. Shortly thereafter, I was promoted to detective. As a detective, I wanted to be assigned to the prestigious narcotics unit. Because of my heritage, however, I was warned away from the position in the unit, which at that time was composed entirely of Caucasian officers. I was expressly informed by my supervisor that the "all-white" narcotics unit did not want me there. However, because my performance warranted advancement, I persisted and was ultimately promoted into the unit.

Immediately upon being assigned to the unit, I was treated differently than the white officers. Some of my white coworkers were decent and honest people, and did not engage in the wrongful conduct. Nonetheless, most were reluctant to assist me in fear of retaliation from the more powerful and politically connected among them. Many of the officers were unfriendly, and inappropriate and insensitive race-based comments and jokes were commonplace. I was again told by a coworker in the narcotics unit, "you know they don't want you here." I was given the less desirable assignments in the unit, even though at that time I had more narcotics seizures than any other officer in the department.

I reported the above-described disparate and discriminatory treatment, and the instigator (Sgt. Dan Yadon) was reassigned back to the patrol division. This created a rift between myself and many of the remaining white officers in the narcotics unit, who supported Sgt. Yadon and were intolerant towards me. Even so, I was nominated for and received the 2007 OCEDET Federal Narcotics Task Force Award, as described above, while working in the "all-white" narcotics unit.

On March 30th, 2007, I was presented with a complaint concerning my alleged interaction with a narcotics informant. The complaint alleged that I "tipped off" the informant concerning a Culver City Police Department investigation into her activities, and allegedly suggested that the informant get rid of any drugs in her possession. This was my first major complaint in approximately 20 years of working at various law enforcement related jobs as described above. Interestingly, the informant who was allegedly "tipped off" was arrested by the Culver City PD with several ounces of narcotics - enough to support a "possession with intent to sell" felony conviction. Presumably, if the informant was actually "tipped off," she would not have had narcotics in her possession when the police arrived to arrest her. Nevertheless, a lengthy 14 month investigation ensued by the Burbank PD, Culver City PD, LASO Sheriffs Office, and the LA District Attorney's office. I was initially transferred to the juvenile division, and then sent home on administrative leave with pay.

When the complaint was presented to the Burbank PD, Sgt. Yadon's close personal friend, business partner and confidant, Lt. Eric Rosoff, headed up the administration of the investigation. Shortly after her arrest for felony possession with intent to sell, the informant was interviewed by Lt. Rosoff. At that time, the informant recanted her earlier statements, and told Lt. Rosoff that she had been threatened in the initial interview, and that she fabricated the allegations against me in order to avoid the prosecution and jail time threatened by the Culver City PD. The informant had no incentive to recant other than her conscience, because absent her testimony against me, she would not be able to receive favorable treatment from the prosecution as promised.

I am informed and believe that the investigation into the alleged incident was incomplete, irregular and not within the normal practices of the Burbank PD. There

were only partial transcripts, summaries of interviews were read and then summarized by the non-interviewing officer, inexplicable breaks in the interview of the key witness, witnesses were not interviewed directly, and statements were made by the District Attorney's office which were unusual and inappropriate, among other things. I am informed and believe that these irregularities and abnormal practices resulted from the direct involvement of Lt. Rosoff, in retaliation for my complaints against his friend, business partner and confidant, Sgt. Dan Yadon.

Lt. Rosoff also attempted to improperly and adversely influence a police witness to the investigation, Sgt. Thor Merich. In a memorandum, Sgt Merich stated that he was intimidated by Lt. Rosoff and encouraged to not be completely truthful with investigators. I am informed and believe that no investigation has been completed into the above described attempt by Lt. Rosoff to improperly manipulate the testimony of witnesses to the complaint against me. Thereafter, on or about July 17, 2008, and even though the complaint against me was not properly investigated or substantiated, I was terminated from my position as a Detective at the Burbank PD. The stated reasons for the termination were because I allegedly interfered with the above-described investigation and for insubordination. I am informed and believe that the true reason for the termination was because of my race, ethnicity and/or national origin, and in retaliation for my complaints of harassment and discrimination against Sgt. Dan Yadon and Lt. Rosoff.

Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(d) Pat Lynch; Armen Dermenjian; John Murphy; Claudio Losacco; Dan Yadon; Jose Duran; Thor Merich; Gerry Misquez; Eduardo Ruiz; Bill Taylor; Kelly Frank; JJ. Puglisi; Ron Caruso; and Chris Canales **Officers:** Sam Anderson; Brian Gordon; Aron Kendrick; Mike Macias; John Pfrommer; Chris Racina; Chris Robarts; Ken

Schiffner; Scott Meadows; Mitch Ross; Gary Seymour; Mike Reyes; Steve Karagosian; Celia Barber (Hawver); Cindy Guillen; Fernando Rojas; Scott Moody; Brian Cosakos; Fernando Munoz; Edeth Hartwick; Dan Arnold (Airport); Greg Kaufman; Mark Stohl; Henry Garay; Jamal Childs. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(e) Periodic notes and copies of some of the above misconduct described, which were kept during my tenure with the Burbank Police Department from 2001 to 2007. Since I was transferred from Narcotics, I have not had access to my desk where these personal notes were kept. I was never given any of the aforementioned files, photos, and other related documents upon my termination. Important evidence in the criminal and administrative investigation in the form of "notes" was never recovered. This incident was brought to the attention of Chief Stehr and others in the department. Discovery is ongoing and this responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 203.1:

Do you contend that you were unlawfully harassed in your employment? If so:

(a) state the name, ADDRESS, telephone number, and employment position of each PERSON whom you contend harassed you;

(b) for each PERSON whom you contend harassed you, describe the harassment;

(c) identify each characteristic (for example, gender, race, age, etc.) on which you base your claim of harassment;

(d) state all facts upon which you base your contention that you were unlawfully harassed;

(e) state the name, ADDRESS, and telephone number of each PERSON with knowledge of those facts; and

(f) identify all DOCUMENTS evidencing those facts.

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RESPONSE TO FORM INTERROGATORY NO. 203.1:

Objection, calls for a legal conclusion and/or expert opinion beyond the purview of the responding party. Further, this interrogatory calls for speculation and the responding party lacks foundation in which to respond. The responding party does not have personal knowledge sufficient to respond to this request, however, the responding party has made the appropriate inquiry as required under the Code and the following response is based upon information and belief thereon. Without waiving the foregoing objections, the responding party replies as follows: Yes.

(a) Individuals responsive to this request include, without limitation, Dan Yadon, Eric Rosoff, Claudio Losacco, Chris Racina, Sam Anderson and Armond Dermenjian among others. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(b) Motorcycles were described as "Rice Rockets," reasons for traffic accidents (primary collision factors) were said to be "DWA" (driving while Asian), and vehicle manufacturers were "Jap makes." During the period of 2005-2006, I was at the copy machine in the detective bureau when Chris Racina came behind me and waited for copies. I told him I was copying a narcotics case and he said "We had an oriental working narco before he went crazy." "We also had another oriental guy who became a woman." He went on to say "They looked like they were good officers too." Then he said "I have to tell you…I don't like you LAPD guys." I responded "Great, cause I am not in the LAPD anymore." Chris Racina has never been friendly to me. To the contrary, I have been told he has only expressed animosity towards me and it is widely known in the department that he is considered a "racist."

Not only were improper race based comments made about Asians, but more prevalent was the use of Armenian and African American stereo types and slurs. I witnessed first hand or was a third party witness to many of these instances. Between the years 2001-2006, I heard during conversation the use of "Armo,"

"Moes," "Sand Nigger," and "Ian's" when referring to suspects and victims of Armenian descent. I recall hearing the words "Niggers," "Dudes," "Nigras," and "Mud Duck" in jokes and other forms of communication. I also observed posted flyers for Armenian events crossed out and graphitized with racial epitaphs and caricatures.

Additionally, I heard race based comments about Hispanics like "Paco," "Jose and Jos B," "Beaner," "Wetback," and "Spic." During the years of 2004-2007, I was a member of the Special Response Team. During training I can recall several incidents that officers used racial slurs directed towards me. During the course of jokes, conversations and comments, I was called the names "Jap" and "Nip." References to "World War II" were also made. *NOTE: My mother Denise Harumi Dunn (deceased) was born in a WWII California Japanese relocation camp. As a result of poor living conditions in the camp, my mother lost both her parents by age 12 to illness.* I specifically remember Officer Sam Anderson making these comments to me in the form of "Joking around." Other officers that were present would simply laugh or add to the comments. Since the Burbank Range Master Larry Nichols was a Vietnam veteran he and others referred to the "Gooks" or "Charlie" when telling war stories in and out of my direct presence.

Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(c) Race, color and national origin. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(d) During my tenure at COB/Burbank PD,I was repeatedly subjected to improper and inflammatory race-based comments by certain fellow officers. Racial slurs and epithets were commonly used by those same officers, and I was regularly called a "Jap," "Nip," and "Half Breed," among others. Comments were also made about

my "slanted eyes," my "Chinese" heritage (though I am Japanese), and stereotypical jokes about "seeing at night" and being "blindfolded by dental-floss," and "World War II," among others, were also common. When I questioned this behavior to my supervisors, I was told that the officers were just joking around and that I should not make a big deal of it. Because these statements were so common and were made in plain hearing of supervisors and others in positions of high authority, I did not pursue my complaints - believing them to be futile.

I was also witness to numerous other offensive and racially insensitive comments made about members of other races, both officers and suspects alike. Armenians were called, "Armo's, " "Moes," "Ian's," "Sand Niggers," and the like. Blacks were called "Nigger," "Gangstas," and "Gee's," among others. Vehicles driven by minorities were referred to as "Rice Rockets" or "Gee-rides," and unidentified African-American suspects were sometimes booked as "Tyrone Doe" instead of "John Doe." Hispanics were called "Mexicans," "Beaners," "Spics," "Taco Vendors" and the like, and unknown Hispanic suspects were often booked as "Juan Doe" instead of "John Doe."

Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(e) **Supervisors:** Pat Lynch; Armen Dermenjian; John Murphy; Claudio Losacco; Dan Yadon; Jose Duran; Thor Merich; Gerry Misquez; Eduardo Ruiz; Bill Taylor; Kelly Frank; JJ Puglisi; Ron Caruso; and Chris Canales **Officers:** Sam Anderson; Brian Gordon; Aron Kendrick; Mike Macias; John Pfrommer; Chris Racina; Chris Robarts; Ken Schiffner; Scott Meadows; Mitch Ross; Gary Seymour; Mike Reyes; Steve Karagosian; Celia Barber (Hawver); Cindy Guillen; Fernando Rojas; Scott Moody; Brian Cosakos; Fernando Munoz; Edeth Hartwick; Dan Arnold (Airport); Greg Kaufman; Mark Stohl; Henry Garay; Jamal Childs. Discovery is ongoing and

the responding party reserves the right to amend this response when more information becomes known.

(f) Periodic notes and copies of some of the above misconduct described, which were kept during my tenure with the Burbank Police Department from 2001 to 2007. Since I was transferred from Narcotics, I have not had access to my desk where these personal notes were kept. I was never given any of the aforementioned files, photos, and other related documents upon my termination. Important evidence in the criminal and administrative investigation in the form of "notes" was never recovered. This incident was brought to the attention of Chief Stehr and others in the department. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 205.1:

Do you contend that the EMPLOYER took any ADVERSE EMPLOYMENT ACTION against you in violation of public policy? If so:

(a) identify the constitutional provision, statute, regulation, or other source of the public policy that you contend was violated; and

(b) state all facts upon which you base your contention that the EMPLOYER violated public policy.

RESPONSE TO FORM INTERROGATORY NO. 205.1:

Objection, calls for a legal conclusion and/or expert opinion beyond the purview of the responding party. Further, this interrogatory calls for speculation and the responding party lacks foundation in which to respond. The responding party does not have personal knowledge sufficient to respond to this request, however, the responding party has made the appropriate inquiry as required under the Code and the following response is based upon information and belief thereon. Without waiving the foregoing objections, the responding party replies as follows: Yes.

(a) The Fair Employment and Housing Act and the Police Officers procedural bill of rights. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(b) For four years in the late 1980's and the early 1990's, I served his country in the United States Army, as a Military Police Investigator, where I conducted civilian and military criminal investigations for my unit. I also served as a patrolman, protective services detail, point man on the Special Response Team (SRT), and was a qualified expert in all classes of assigned weapon systems. My awards and commendations included, without limitation, the 1988 Top Rookie award and a 1989 Army Achievement Medal, among others. I joined a police force in 1995 as a police officer with the Los Angeles Police Department ("LAPD"). During my tenure at LAPD, I was a Team Leader of a divisional Special Enforcement Group specializing in career criminal investigation and fugitive apprehension. I was also a member of the East LA anti-gang unit CRASH unit, or Community Resources Against Street Hoodlums, and at times served as a divisional firearms and tactics instructor. In1998, I received the LAPD Medal of Valor, presented to a very select few for courage under fire. The very next year, President Bill Clinton and Vice President Al Gore presented me with the 1999 Top Cop Award for exceptional valor above and beyond the call of duty. In March, 2001, I was transferred from LAPD to COB/Burbank PD. During my tenure at COB/Burbank PD, I at times served as a field training officer, a POST certified defensive tactics instructor, a Special Enforcement Detail (SED) investigator, and Special Response Team (SRT) member/instructor. At all times, I discharged my duties in a capable, competent and professional manner. In 2007, I received the Professional Esteem Award from the Burbank City Council, and in 2007, and also received the Organized Crime Drug Enforcement Task Force Award ("OCDETF"), awarded by (then) US Attorney General, Alberto Gonzales.

During my tenure at COB/Burbank PD, I was repeatedly subjected to improper and inflammatory race-based comments by certain fellow officers. Racial slurs and epithets were commonly used by those same officers, and I was regularly called a

"Jap," "Nip," and "Half Breed," among others. Comments were also made about my "slanted eyes," my "Chinese" heritage (though I am Japanese), and stereotypical jokes about "seeing at night" and being "blindfolded by dental-floss," and "World War II," among others, were also common.

Because these statements were so common and were made in plain hearing of supervisors and others in positions of high authority. I did not pursue my complaints - believing them to be futile.

I was also witness to numerous other offensive and racially insensitive comments made about members of other races, both officers and suspects alike. Armenians were called, "Armo's, " "Moes," "Ian's," "Sand Niggers," and the like. Blacks were called "Nigger," "Gangstas," and "Gee's," among others. Vehicles driven by minorities were referred to as "Rice Rockets" or "Gee-rides," and unidentified African-American suspects were sometimes booked as "Tyrone Doe" instead of "John Doe." Hispanics were called "Mexicans," "Beaners," "Spics," "Taco Vendors" and the like, and unknown Hispanic suspects were often booked as "Juan Doe" instead of "John Doe." Again, because these statements were so common and were made in plain hearing of supervisors and others in positions of high authority, I did not pursue any complaints - believing them to be futile.

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informed by my supervisor that the "all-white" narcotics unit did not want me there. However, because my performance warranted advancement, I persisted and was ultimately promoted into the unit.

Immediately upon being assigned to the unit, I was treated differently than the white officers. Some of my white coworkers were decent and honest people, and did not engage in the wrongful conduct. Nonetheless, most were reluctant to assist me in fear of retaliation from the more powerful and politically connected among them. Many of the officers were unfriendly, and inappropriate and insensitive race-based comments and jokes were commonplace. I was again told by a coworker in the narcotics unit, "you know they don't want you here." I was given the less desirable assignments in the unit, even though at that time I had more narcotics seizures than any other officer in the department.

I reported the above-described disparate and discriminatory treatment, and the instigator (Sgt. Dan Yadon) was reassigned back to the patrol division. This created a rift between myself and many of the remaining white officers in the narcotics unit, who supported Sgt. Yadon and were intolerant towards me. Even so, I was nominated for and received the 2007 OCEDET Federal Narcotics Task Force Award, as described above, while working in the "all-white" narcotics unit.

On March 30th, 2007, I was presented with a complaint concerning my alleged interaction with a narcotics informant. The complaint alleged that I "tipped off" the informant concerning a Culver City Police Department investigation into her activities, and allegedly suggested that the informant get rid of any drugs in her possession. This was my first major complaint in approximately 20 years of working at various law enforcement related jobs as described above. Interestingly, the informant who was allegedly "tipped off" was arrested by the Culver City PD

with several ounces of narcotics - enough to support a "possession with intent to sell" felony conviction. Presumably, if the informant was actually "tipped off," she would not have had narcotics in her possession when the police arrived to arrest her. Nevertheless, a lengthy 14 month investigation ensued by the Burbank PD, Culver City PD, LASO Sheriffs Office, and the LA District Attorney's office. I was initially transferred to the juvenile division, and then sent home on administrative leave with pay.

When the complaint was presented to the Burbank PD, Sgt. Yadon's close personal friend, business partner and confidant, Lt. Eric Rosoff, headed up the administration of the investigation. Shortly after her arrest for felony possession with intent to sell, the informant was interviewed by Lt. Rosoff. At that time, the informant recanted her earlier statements, and told Lt. Rosoff that she had been threatened in the initial interview, and that she fabricated the allegations against me in order to avoid the prosecution and jail time threatened by the Culver City PD. The informant had no incentive to recant other than her conscience, because absent her testimony against me, she would not be able to receive favorable treatment from the prosecution as promised.

I am informed and believe that the investigation into the alleged incident was incomplete, irregular and not within the normal practices of the Burbank PD. There were only partial transcripts, summaries of interviews were read and then summarized by the non-interviewing officer, inexplicable breaks in the interview of the key witness, witnesses were not interviewed directly, and statements were made by the District Attorney's office which were unusual and inappropriate, among other things. I am informed and believe that these irregularities and abnormal practices resulted from the direct involvement of Lt. Rosoff, in retaliation for my complaints against his friend, business partner and confidant, Sgt. Dan Yadon.

Lt. Rosoff also attempted to improperly and adversely influence a police witness to the investigation, Sgt. Thor Merich. In a memorandum, Sgt Merich stated that he was intimidated by Lt. Rosoff and encouraged to not be completely truthful with investigators. I am informed and believe that no investigation has been completed into the above described attempt by Lt. Rosoff to improperly manipulate the testimony of witnesses to the complaint against me. Thereafter, on or about July 17, 2008, and even though the complaint against me was not properly investigated or substantiated, I was terminated from my position as a Detective at the Burbank PD. The stated reasons for the termination were because I allegedly interfered with the above-described investigation and for insubordination. I am informed and believe that the true reason for the termination was because of my race, ethnicity and/or national origin, and in retaliation for my complaints of harassment and discrimination against Sgt. Dan Yadon and Lt. Rosoff.

Discovery is ongoing and this responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 207.2:

Did the EMPLOYEE complain to the EMPLOYER about any of the unlawful conduct alleged in the PLEADINGS? If so, for each complaint:

(a) state the date of the complaint;

(b) state the nature of the complaint;

(c) state the name and ADDRESS of each PERSON to whom the complaint was made;

(d) state the name, ADDRESS, telephone number, and job title of each PERSON who investigated the complaint;

(e) state the name, ADDRESS, telephone number, and job title of each PERSON who participated in making decisions about how to conduct the investigation;

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(f) state the name, ADDRESS, telephone number, and job title of each PERSON who was interviewed or who provided an oral or written statement as part of the investigation of the complaint;

(g) state the nature and date of any action taken in response to the complaint;

(h) state whether the EMPLOYEE who made the complaint was made aware of the actions taken by the EMPLOYER in response to the complaint, and, if so, state how and when;

(i) identify all DOCUMENTS relating to the complaint, the investigation, and any action taken in response to the complaint; and

(j) state the name, ADDRESS, and telephone number of each PERSON who has knowledge of the EMPLOYEE'S complaint or the EMPLOYER'S response to the complaint.

RESPONSE TO FORM INTERROGATORY NO. 207.2:

Yes.

(a) The responding party is not sure of the exact date, however, it was in the first 2 or 3 months after his assignment to the Narcotics division. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(b) The responding party is informed and believes that the nature of the complaint was that Sgt. Yadon was discriminating against him. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(c) Lt. John Murphy and Pat Lynch. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(d) The Responding party has no information or belief with which to respond to this request. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

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(e) The Responding party has no information or belief with which to respond to this request. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(f) The Responding party has no information or belief with which to respond to this request. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(g) The responding party is informed and believes that, in response to the complaint, Dan Yadon was reassigned to Patrol division. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(h) The responding party was made aware of the transfer at or near the time that Dan Yadon was transferred to Patrol. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(i) The responding party does not know specifically the title of the documents responsive to this request, however, the responding party is informed and believes that all such documents are in the possession, custody and/or control of the Burbank Police Department. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(j) The Responding party has no information or belief with which to respond to this request, other than Pay Lynch, John Murphy, Dan Yadon and Tim Stehr, who were involved in the process. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(a) 2008. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(b) The nature of the complaint concerned the inappropriate nature of the investigation into the responding party alleged conduct with respect to the confidential informant, and that the investigators and other individuals who were involved in the

investigation were reaching inappropriate conclusions in response to the responding party's prior complaint against Sgt. Yadon and also because Dan Yadon was reassigned to Patrol. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(c) Chief Tim Stehr. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(d) The Responding party has no information or belief with which to respond to this request. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(e) The Responding party has no information or belief with which to respond to this request. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(f) The Responding party has no information or belief with which to respond to this request. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(g) The responding party is not aware that any response was taken to his complaint. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(h) The responding party was not made aware of any actions taken by the employer. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(i) The responding party does not know specifically the title of the documents responsive to this request, however, the responding party is informed and believes that all such documents are in the possession, custody and/or control of the Burbank Police Department. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(j) The Responding party has no information or belief with which to respond to this request, other than Pat Lynch, John Murphy, Dan Yadon and Tim Stehr and other

unknown members of the Burbank Police Department, who were involved in the process. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 208.1:

Did the EMPLOYEE file a claim, complaint, or charge with any governmental agency that involved any of the material allegations made in the PLEADINGS? If so, for each claim, complaint, or charge:

(a) state the date on which it was filed;

(b) state the name and ADDRESS of the agency with which it was filed;

(c) state the number assigned to the claim, complaint, or charge by the agency;

(d) state the nature of each claim, complaint, or charge made;

(e) state the date on which the EMPLOYER was notified of the claim, complaint, or charge;

(f) state the name, ADDRESS, and telephone number of all PERSONS within the governmental agency with whom the EMPLOYER has had any contact or communication regarding the claim, complaint, or charge;

(g) state whether a right to sue notice was issued and, if so, when; and

(h) state whether any findings or conclusions regarding the complaint or charge have been made, and, if so, the date and description of the agency's findings or conclusions.

RESPONSE TO FORM INTERROGATORY NO. 208.1:

Objection, calls for a legal conclusion and/or expert opinion beyond the purview of the responding party. Further, this interrogatory calls for speculation and the responding party lacks foundation in which to respond. Without waiving the foregoing objections, the responding party replies as follows: Yes.

Department of Fair Employment & Housing Complaint

(a) May 27, 2009. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(b) Department of Fair Employment & Housing, 1055 West 7th Street, Suite 1400, Los Angeles, California. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(c) E200909S6015-00. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(d) Termination, harassment, failure to prevent discrimination or retaliation, retaliation, and hostile work environment. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(e) Approximately July 2009. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(f) None. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(g) Yes. May 27, 2009. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(h) None. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

Governmental Claim Form

(a) May 28, 2009. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(b) Office of the City Clerk, City of Burbank, 275 East Olive Avenue, Burbank, California 91510. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(c) None. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(d) Illegal and wrongful conduct by the City of Burbank and their officers, employees, servants, and agents without limitation, which included harassment and discrimination based on race, color, and national ancestry, amount other things and retaliation for opposing unlawful harassment and discrimination. Discovery is

ongoing and the responding party reserves the right to amend this response when more information becomes known.

(e) Approximately July 2009. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(f) None. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(g) No. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(h) July 10, 2009, claim rejected. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 209.1:

Except for this action, in the past 10 years has the EMPLOYEE filed a civil action against any employer regarding the EMPLOYEE'S employment? If so, for each civil action:

(a) state the name, ADDRESS and telephone number of each employer against whom the action was filed;

(b) state the court, names of the parties, and case number of the civil action;

(c) state the name, ADDRESS, and telephone number of any attorney representing the EMPLOYEE; and

(d) state whether the action has been resolved or is pending.

RESPONSE TO FORM INTERROGATORY NO. 209.1:

Objection, calls for a legal conclusion and/or expert opinion beyond the purview of the responding party. Further, this interrogatory calls for speculation and the responding party lacks foundation in which to respond. Without waiving the foregoing objections, the responding party replies as follows: The responding party is informed and believes that no civil action has been filed on his behalf within the past ten years. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

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FORM INTERROGATORY NO. 210.1:

Do you attribute any loss of income, benefits, or earning capacity to any ADVERSE EMPLOYMENT ACTION? (*If your answer is "no," do not answer Interrogatories 210.2 through 210.6.*)

RESPONSE TO FORM INTERROGATORY NO. 210.1:

Objection, calls for a legal conclusion and/or expert opinion beyond the purview of the responding party. This request is further objectionable in that is calls for speculation, lacks foundation and calls for information under the attorney/client and/or work product privileges. Without waiving the foregoing objections the responding party replies as follows: Yes.

FORM INTERROGATORY NO. 210.2:

State the total amount of income, benefits, or earning capacity you have lost to date and how the amount was calculated.

RESPONSE TO FORM INTERROGATORY NO. 210.2:

Objection, calls for a legal conclusion and/or expert opinion beyond the purview of the responding party. This request is further objectionable in that is calls for speculation, lacks foundation and calls for information under the attorney/client and/or work product privileges. Without waiving the foregoing objections the responding party replies as follows: The responding party is informed and believes that the total amount of income, benefits and/or earning capacity lost to date exceeds $200,000.00, calculated as follows: $40,000.00 lost between July, 2007 and July, 2008; losses at $120,000.00 per year (approximately) and ongoing through the date of this response since July, 2008 totaling $160,000.00 (approximately). Losses continue to be incurred at the rate of $125,000.00 per year (approximately). Discovery is ongoing and this responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 210.3:

Will you lose income, benefits, or earning capacity in the future as a result of any ADVERSE EMPLOYMENT ACTION? If so, state the total amount of income, benefits, or earning capacity you expect to lose, and how the amount was calculated.

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RESPONSE TO FORM INTERROGATORY NO. 210.3:

Objection, calls for a legal conclusion and/or expert opinion beyond the purview of the responding party. This request is further objectionable in that is calls for speculation, lacks foundation and calls for information under the attorney/client and/or work product privileges. Without waiving the foregoing objections the responding party replies as follows: The responding party believes that he will continue to lose income as a result of the ADVERSE EMPLOYMENT ACTION. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known. Discovery is ongoing and this responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 210.4:

Have you attempted to minimize the amount of your lost income? If so, describe how; if not, explain why not.

RESPONSE TO FORM INTERROGATORY NO. 210.4:

Objection, calls for a legal conclusion and/or expert opinion beyond the purview of the responding party. This request is further objectionable in that is calls for speculation, lacks foundation and calls for information under the attorney/client and/or work product privileges. Without waiving the foregoing objections the responding party replies as follows: Yes. The responding party has attempted to obtain gainful employment on a regular basis since the date of his termination, without success. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 210.5:

Have you purchased any benefits to replace any benefits to which you would have been entitled if the ADVERSE EMPLOYMENT ACTION had not occurred? If so, state the cost for each benefit purchased.

RESPONSE TO FORM INTERROGATORY NO. 210.5:

Objection, calls for a legal conclusion and/or expert opinion beyond the purview of the responding party. This request is further objectionable in that is calls for speculation, lacks foundation and calls for information under the attorney/client and/or work product privileges.

Without waiving the foregoing objections the responding party replies as follows: No. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 210.6:

Have you obtained other employment since any ADVERSE EMPLOYMENT ACTION? If so, for each new employment:

(a) state when the new employment commenced;

(b) state the hourly rate or monthly salary for the new employment; and

(c) state the benefits available from the new employment.

RESPONSE TO FORM INTERROGATORY NO. 210.6:

Objection, calls for a legal conclusion and/or expert opinion beyond the purview of the responding party. This request is further objectionable in that is calls for speculation, lacks foundation and calls for information under the attorney/client and/or work product privileges. Without waiving the foregoing objections the responding party replies as follows: No. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 212.1

Do you attribute any physical, mental, or emotional injuries to the ADVERSE EMPLOYMENT ACTION? *(If your answer is "no," do not answer Interrogatories 212.2 through 212.7.)*

RESPONSE TO FORM INTERROGATORY NO. 212.1:

Objection, calls for a legal conclusion and/or expert opinion beyond the purview of the responding party. Further, this interrogatory calls for speculation and the responding party lacks foundation in which to respond. Without waiving the foregoing objections, the responding party replies as follows: Yes. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

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FORM INTERROGATORY NO. 212.2:

Identify each physical, mental, or emotional injury that you attribute to the ADVERSE EMPLOYMENT ACTION and the area of your body affected.

RESPONSE TO FORM INTERROGATORY NO. 212.2:

Objection, calls for a legal conclusion and/or expert opinion beyond the purview of the responding party. Further, this interrogatory calls for speculation and the responding party lacks foundation in which to respond. Without waiving the foregoing objections, the responding party replies as follows: The responding party has suffered physical, mental and emotional injury which he attributes to the adverse employment action, including, without limitation, stress, anxiety, chest pains, abdominal pain, chronic headaches, migraines, nervousness, sleeplessness, loss of appetite and loss of enjoyment in the ordinary activities of life. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 212.3:

Do you still have any complaints of physical, mental, or emotional injuries that you attribute to the ADVERSE EMPLOYMENT ACTION? If so, for each complaint state:

(a) a description of the injury;

(b) whether the complaint is subsiding, remaining the same, or becoming worse; and

(c) the frequency and duration.

RESPONSE TO FORM INTERROGATORY NO. 212.3:

Objection, calls for a legal conclusion and/or expert opinion beyond the purview of the responding party. Further, this interrogatory calls for speculation and the responding party lacks foundation in which to respond. Without waiving the foregoing objections, the responding party replies as follows: Yes.

(a) physical, mental and emotional injury which he attributes to the adverse employment action, including, without limitation, stress, anxiety, chest pains, abdominal pain, chronic headaches, migraines, nervousness, sleeplessness, loss of

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appetite and loss of enjoyment in the ordinary activities of life. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(b) Becoming worse and more frequent. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(c) Daily. Discovery is ongoing and this responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 212.4:

Did you receive any consultation or examination (except from expert witnesses covered by Code of Civil Procedure section 2034) or treatment from a HEALTH CARE PROVIDER for any injury you attribute to the ADVERSE EMPLOYMENT ACTION? If so, for each HEALTH CARE PROVIDER state:

(a) the name, ADDRESS, and telephone number;

(b) the type of consultation, examination, or treatment provided;

(c) the dates you received consultation, examination, or treatment; and

(d) the charges to date.

RESPONSE TO FORM INTERROGATORY NO. 212.4:

Objection, calls for a legal conclusion and/or expert opinion beyond the purview of the responding party. This request is further objectionable in that is calls for speculation, lacks foundation and calls for information under the attorney/client and/or work product privileges. Without waiving the foregoing objections the responding party replies as follows: Yes.

(a) Naveen Sharma, MD at Ventura Cardiology Specialists. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(b) Examined for chest pains I was experiencing for several weeks (off and on). Dr. Sharma opined that condition sounded like "Tietze Syndrome," a condition which leading experts say "emotional pressure is found to be an important cause."

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Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(c) May 12, 2008. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(d) The charges are unknown. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 212.5:

Have you taken any medication, prescribed or not, as a result of injuries that you attribute to the ADVERSE EMPLOYMENT ACTION? If so, for each medication state:

(a) the name of the medication;

(b) the name, ADDRESS and telephone number of the PERSON who prescribed or furnished it;

(c) the date prescribed or furnished;

(d) the dates you began and stopped taking it; and

(e) the cost to date.

RESPONSE TO FORM INTERROGATORY NO. 212.5:

Objection, calls for a legal conclusion and/or expert opinion beyond the purview of the responding party. This request is further objectionable in that is calls for speculation, lacks foundation and calls for information under the attorney/client and/or work product privileges. Without waiving the foregoing objections the responding party replies as follows: No. Discovery is ongoing and this responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 212.6:

Are there any other medical services not previously listed in response to interrogatory 212.4 (for example, ambulance, nursing, prosthetics) that you received for injuries attributed to the ADVERSE EMPLOYMENT ACTION? If so, for each service state:

(a) the nature;

(b) the date;

(c) the cost; and

(d) the name, ADDRESS, and telephone number of each HEALTH CARE PROVIDER.

RESPONSE TO FORM INTERROGATORY NO. 212.6:

Objection, calls for a legal conclusion and/or expert opinion beyond the purview of the responding party. This request is further objectionable in that is calls for speculation, lacks foundation and calls for information under the attorney/client and/or work product privileges. Without waiving the foregoing objections the responding party replies as follows: No. Discovery is ongoing and this responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 212.7:

Has any HEALTH CARE PROVIDER advised that you may require future or additional treatment for any injuries that you attribute to the ADVERSE EMPLOYMENT ACTION? If so, for each injury state:

(a) the name and ADDRESS of each HEALTH CARE PROVIDER;

(b) the complaints for which the treatment was advised; and

(c) the nature, duration, and estimated cost of the treatment.

RESPONSE TO FORM INTERROGATORY NO. 212.7:

Objection, calls for a legal conclusion and/or expert opinion beyond the purview of the responding party. This request is further objectionable in that is calls for speculation, lacks foundation and calls for information under the attorney/client and/or work product privileges. Without waiving the foregoing objections the responding party replies as follows: Yes.

(a) Naveen Sharma, MD at Ventura Cardiology Specialists. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(b) Examined for chest pains I was experiencing for several weeks (off and on). Dr. Sharma opined that condition sounded like "Tietze Syndrome," a condition which leading experts say "emotional pressure is found to be an important cause."

Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

(c) The Responding party has no information or belief with which to respond to this request. Discovery is ongoing and the responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 213.1:

Are there any other damages that you attribute to the ADVERSE EMPLOYMENT ACTION? If so, for each item of damage state:

(a) the nature;

(b) the date it occurred;

(c) the amount; and

(d) the name, ADDRESS, and telephone number of each PERSON who has knowledge of the nature or amount of the damage.

RESPONSE TO FORM INTERROGATORY NO. 213.1:

Objection, calls for a legal conclusion and/or expert opinion beyond the purview of the responding party. This request is further objectionable in that is calls for speculation, lacks foundation and calls for information under the attorney/client and/or work product privileges. Without waiving the foregoing objections the responding party replies as follows: No. Discovery is ongoing and this responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 213.2:

Do any DOCUMENTS support the existence or amount of any item of damages claimed in Interrogatory 213.1 ? If so, identify the DOCUMENTS and state the name, ADDRESS, and telephone number of the PERSON who has each DOCUMENT.

RESPONSE TO FORM INTERROGATORY NO. 213.2:

Objection, calls for a legal conclusion and/or expert opinion beyond the purview of the responding party. This request is further objectionable in that is calls for speculation, lacks foundation and calls for information under the attorney/client and/or work product privileges.

Without waiving the foregoing objections the responding party replies as follows: Not Applicable. Discovery is ongoing and this responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 215.1:

Have YOU OR ANYONE ACTING ON YOUR BEHALF interviewed any individual concerning the ADVERSE EMPLOYMENT ACTION? If so, for each individual state:

(a) the name, ADDRESS, and telephone number of the individual interviewed;

(b) the date of the interview; and

(c) the name, ADDRESS, and telephone number of the PERSON who conducted the interview.

RESPONSE TO FORM INTERROGATORY NO. 215.1:

Objection, calls for information protected by the attorney-client and/or work product privileges. Without waiving the foregoing objections the responding party replies as follows: The responding party has conducted no non-privileged interviews. Discovery is ongoing and this responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 215.2:

Have YOU OR ANYONE ACTING ON YOUR BEHALF obtained a written or recorded statement from any individual concerning the ADVERSE EMPLOYMENT ACTION? If so, for each statement state:

(a) the name, ADDRESS, and telephone number of the individual from whom the statement was obtained;

(b) the name, ADDRESS, and telephone number of the individual who obtained the statement;

(c) the date the statement was obtained; and

(d) the name, ADDRESS, and telephone number of each PERSON who has the original statement or a copy.

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Without waiving the foregoing objections the responding party replies as follows: Not Applicable. Discovery is ongoing and this responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 215.1:

Have YOU OR ANYONE ACTING ON YOUR BEHALF interviewed any individual concerning the ADVERSE EMPLOYMENT ACTION? If so, for each individual state:

(a) the name, ADDRESS, and telephone number of the individual interviewed;

(b) the date of the interview; and

(c) the name, ADDRESS, and telephone number of the PERSON who conducted the interview.

RESPONSE TO FORM INTERROGATORY NO. 215.1:

Objection, calls for information protected by the attorney-client and/or work product privileges. Without waiving the foregoing objections the responding party replies as follows: The responding party has conducted no non-privileged interviews. Discovery is ongoing and this responding party reserves the right to amend this response when more information becomes known.

FORM INTERROGATORY NO. 215.2:

Have YOU OR ANYONE ACTING ON YOUR BEHALF obtained a written or recorded statement from any individual concerning the ADVERSE EMPLOYMENT ACTION? If so, for each statement state:

(a) the name, ADDRESS, and telephone number of the individual from whom the statement was obtained;

(b) the name, ADDRESS, and telephone number of the individual who obtained the statement;

(c) the date the statement was obtained; and

(d) the name, ADDRESS, and telephone number of each PERSON who has the original statement or a copy.

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RESPONSE TO FORM INTERROGATORY NO. 215.2:

Objection, calls for information protected by the attorney-client and/or work product privileges. Without waiving the foregoing objections the responding party replies as follows: The responding party has conducted no non-privileged interviews. Discovery is ongoing and this responding party reserves the right to amend this response when more information becomes known.

Dated: November 23, 2009

LAW OFFICES OF RHEUBAN & GRESEN

By: _____
STEVEN V. RHEUBAN, Esq.
Attorneys For Plaintiff, CHRISTOPHER LEE DUNN

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I have read the foregoing **FORM INTERROGATORIES - EMPLOYMENT LAW** and know its contents.

XX I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

___ I am an officer ____ Partner

___ a _____ of _____ a party to this action, and am authorized to make this verification for and on its 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.

___ The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

___ I am one of the attorneys for _____ a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on 11-2/-09, at LOS ANGELES, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Christopher Lee Dunn

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles. I am over the age of eighteen and am not a party to the within action. My business address is 15910 Ventura Boulevard, Suite 1610, Encino, California 91436.

On November 23, 2009, I served a copy of the following document described as **PLAINTIFF CHRISTOPHER LEE DUNN'S RESPONSES TO FORM INTERROGATORIES - EMPLOYMENT LAW PROPOUNDED BY THE CITY OF BURBANK; VERIFICATION** on the interested parties in this action as follows:

Kristin A. Pelletier, Esq.
Burke, Williams & Sorensen, LLP
444 South Flower Street, Suite 2400
Los Angeles, California 90071
FACSIMILE: (213) 236-2700

___ **BY MAIL:** By placing a true copy thereof enclosed in a sealed envelope(s) addressed as above, and placing each for collection and mailing on that date following ordinary 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 U.S. mail Postal Service in Los Angeles, California, in a sealed envelope with postage fully prepaid.

XX **BY OVERNIGHT DELIVERY:** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed as above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

___ **BY FACSIMILE:** Based on an agreement of the parties to accept service by facsimile transmission, I faxed the documents to the person(s) at the facsimile numbers listed above. The telephone number of the sending facsimile machine is (818) 815-2737. The sending facsimile machine issued a transmission report confirming that the transmission was complete and without error. A copy of that report showing the time of service is attached.

___ **BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the person(s) at the e-mail address listed above. My electronic notification address is ag@rglawyers.com. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. A copy of the electronic transmission showing the time of service is attached.

XX **STATE:** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

EXECUTED on November 23, 2009, at Encino, California.

Annette Goldstein

Annette Goldstein

BURKE, WILLIAMS & SORENSEN, LLP
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Los Angeles, California 90071-2953
voice 213.236.0600 - fax 213.236.2700
www.bwslaw.com

Our File No.: 06147-0014
kpelletier@bwslaw.com

November 30, 2009

Solomon E. Gresen, Esq.
Law Offices of Rheuban & Gresen
15910 Ventura Boulevard, Suite 1610
Encino, CA 91436

Re: Dunn v. City of Burbank

Dear Mr. Gresen:

The City of Burbank is in receipt of your discovery responses and hereby requests that you meet and confer with respect to the following responses:

1. Plaintiff waived his objections by failing to serve timely responses. Please provide all responses without objection.

2. Plaintiff does not answer the specific questions posed in his responses to special interrogatory nos. 7-12, 16-18, 37-39, but instead repeats his boilerplate response to other questions. Please respond to the specific questions asked in these interrogatories.

3. Plaintiff does not answer special interrogatory nos. 61, 67, 70, 73, 109, but merely repeats his contentions. Please answer these interrogatories.

4. Plaintiff's responses to special interrogatory nos. 88-90 consist of an objection that the interrogatories are duplicative of interrogatories 85-87. Not only has plaintiff waived his objections, these sets of interrogatories inquire into different subject matters (discrimination versus harassment). Please answer interrogatory nos. 88-90.

5. Plaintiff's response to special interrogatory no. 103 does not answer the question asked, which is what rights plaintiff exercised under the Public Safety Officers' Procedural Bill of Rights Act.

6. Plaintiff has failed to respond to Form Interrogatory nos. 210.3 and 210.4. Please provide the details of plaintiff's alleged efforts to seek subsequent employment (applications made for employment, when, to whom, the result, etc.), as well as plaintiff's lost future income calculations.

7. Plaintiff's response to form interrogatory no. 215.1 says that plaintiff has conducted no non-privileged interviews. Among other things, plaintiff has waived any privileges by failing to timely respond to the City's discovery. Please respond to this interrogatory, as well as to interrogatory no. 215.2 regarding statements obtained from witnesses.

Sincerely,

KRISTIN A. PELLETIER

KAP:ac

Tyson, Robert J.

From: Solomon Gresen [seg@rglawyers.com]
Sent: Saturday, January 23, 2010 2:39 PM
To: Tyson, Robert J.
Subject: RE: Meet and Confer Letter

Trial prep. Sorry.

This will confirm an extension through Feb. 15 to file any discovery motion related to the discovery at issue, and you will have a response the beginning of next week.

Thanks again.

Solomon E. Gresen, Esq.
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From: Tyson, Robert J. [mailto:RTyson@bwslaw.com]
Sent: Friday, January 22, 2010 3:12 PM
To: Solomon Gresen
Subject: RE: Meet and Confer Letter

Is a response coming today or Monday? If not, we should probably discuss another extension to avoid a motion.

From: Solomon Gresen [mailto:seg@rglawyers.com]
Sent: Tuesday, January 12, 2010 1:47 PM
To: Tyson, Robert J.
Subject: RE: Meet and Confer Letter

Thank you for the follow up. A meaningful response will be provided next week. Sorry for the delay, but I have been distracted by the Rodriguez v. Burbank case lately. Please let me know if a larger extension is needed to accommodate the delay.

Thank you again.

From: Tyson, Robert J. [mailto:RTyson@bwslaw.com]
Sent: Monday, January 11, 2010 9:31 AM
To: Solomon Gresen
Subject: RE: Meet and Confer Letter

Thank you for the extension.

I have not heard anything more from your office on this meet and confer and thought I should follow up. Please let me know when I can expect some feedback thereon.

From: Solomon Gresen [mailto:seg@rglawyers.com]
Sent: Thursday, December 24, 2009 11:32 AM
To: Tyson, Robert J.
Subject: RE: Meet and Confer Letter

Robert,

As it turns out, my associate who was working on the response is out of the office through the new year, and I have been unable to reach him. I should know more early next week. Thank you for your cooperation and understanding in this regard.

To allow us time to sort things out without the need for court intervention, this email confirms a 30 day extension with which you may file a motion to compel on the issues set forth in your November 30 letter. Again, thank you for your courtesy.

Happy holidays, and I hope you and your family have a healthy and successful 2010.

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From: Tyson, Robert J. [mailto:RTyson@bwslaw.com]
Sent: Wednesday, December 23, 2009 9:07 AM
To: Solomon Gresen
Subject: Meet and Confer Letter

Solomon,
I cannot find a record of a response to Ms. Pelletier's meet and confer letter dated November 30, 2009 in the file. Please advise if plaintiff intends to provide supplemental or amended responses. If you intend to do so, or if you would like longer to consider it, we should immediately discuss an extension of the time for the City to file its motion to compel. Thanks.

Robert J. Tyson
Partner

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STEVEN V. RHEUBAN
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February 1, 2010

VIA FACSIMILE TO (213) 236-2700 & U.S. MAIL

Kristin A. Pelletier, Esq.
Burke, Williams & Sorensen, LLP
444 South Flower Street, Suite 2400
Los Angeles, California 90071

Re: Dunn v. City of Burbank, et al.
LASC Case No. BC 417928

Dear Ms. Pelletier:

This letter is sent in response to your "meet and confer" letter dated November 30, 2009, regarding Plaintiff's discovery responses:

1. Plaintiff will file a motion for relief from waiver of discovery objections, and will not file responses without objections.

2. Plaintiff stands by his responses to Special Interrogatory Nos. 7-12, 16-18 and 37-39.

3. Plaintiff stands by his responses to Special Interrogatory Nos. 61, 67, 70, 73 and 109.

4. Plaintiff will provide further responses to Special Interrogatory Nos. 88-90.

5. Plaintiff stands by his response to Special Interrogatory No. 103.

6. Plaintiff stands by his response to Form Interrogatory Nos. 210.3 and 210.4.

7. Plaintiff will file a motion for relief from waiver of discovery objections, and otherwise stands by his response to Form Interrogatory No. 215.1.

I you wish to discuss any of the above, please do not hesitate to give us a call.

Very truly yours,

LAW OFFICES OF RHEUBAN & GRESEN

Steven M. Cischke

Steven M. Cischke