

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

Acme Home & Garden, LLC,

Plaintiff,

v.

John Doe,

Defendant.

Case Type: Contract

Court File No.: xx-CV-xx-xxx

**PLAINTIFF ACME HOME & GARDEN,
LLC'S FIRST SET OF REQUESTS
FOR INTERROGATORIES TO
PLAINTIFF JOHN DOE**

TO: DEFENDANT JOHN DOE, BY AND THROUGH HIS ATTORNEY, RONNIE RAGAN, 550 BROADVIEW STREET, MINNEAPOLIS, MINNESOTA 55402

PLEASE TAKE NOTICE that Plaintiff Acme Home & Garden, LLC demands answers to the within Interrogatories, under oath, within thirty (30) days, pursuant to Rule 33 of the Minnesota Rules of Civil Procedure.

THESE INTERROGATORIES ARE DEEMED TO BE CONTINUING. IF YOU OR YOUR COUNSEL SHOULD OBTAIN ANY INFORMATION RELATIVE TO THE SUBJECT MATTER INQUIRED INTO HEREIN, YOU ARE DIRECTED TO FURNISH SUCH INFORMATION TO THE UNDERSIGNED. OBJECTION WILL BE MADE AT THE TIME OF TRIAL TO ANY ATTEMPT TO INTRODUCE EVIDENCE WHICH IS SOUGHT BY THESE INTERROGATORIES AND TO WHICH NO DISCLOSURE HAS BEEN MADE.

INSTRUCTIONS AND DEFINITIONS

A. In answering these Interrogatories, You are required to furnish all information that is available to You or subject to reasonable inquiry by You, including information in Your possession or the possession of Your attorneys, advisers, or other persons directly or indirectly employed by or connected with You or Your attorneys and anyone else otherwise subject to Your control.

B. For purposes of these Interrogatories:

1. "Document" shall have the broadest possible meaning permitted under Minnesota law, and shall include all writings of any kind, including the originals and all non-identical copies, including without limitation, correspondence, memoranda, notes, invoices, bulletins, calendars, diaries, contracts, agreements, letters, telegrams, minutes, reports, studies, checks, statements, receipts, vouchers, invoices, summaries, pamphlets, blueprints, specifications, drawings, sketches, interoffice and intra-office communications, notations of any sort of conversation, telephone calls, meeting or other communications, agendas, computer printouts, graphical records or representations of any kind (including without limitation photographs, charts, graphs, microfiche, microfilm videotapes, recordings, motion pictures), computer printouts, electronic data computation, electronic mail, computer documents or files, computer disks, computer programs, computer software, tapes and all other tangible things upon which any handwriting, typing, printing, drawing, representation, photocopy, magnetic, electrical or optical impulse or other form of communication is recorded or reproduced, and preliminary drafts and non-identical copies of the above. The term also includes each and every file folder or other material in which the above items are stored, filed or maintained.

2. Except where otherwise specifically defined in the text of the particular interrogatory, the word "identify" shall have the following meaning:

a. As used herein, **"identify" or "identity", when used in reference to a document**, means to state:

- (1) date and author or addressor;
- (2) type of document (e.g., letter, memoranda, telegram, chart, etc.) or some other means of identifying it;
- (3) the subject matter of said document;
- (4) the recipients of all copies of said documents; and

(5) its present location or custodian including the address where such document may be found. If any such document was but is no longer in your possession or subject to your control, state what disposition was made of it.

In lieu of stating items (3) and (5), Plaintiff may furnish simultaneously with the service of Answers to these Interrogatories, such documents for inspection and copying by Defendant.

b. As used herein, **"identify" or "identity" used in reference to a firm, partnership, association or corporation** means to state its business name and present address, the names and present addresses of the principal owners, participants, partners, officers and/or employees and its present telephone number.

c. As used herein, **"identify" or "identity" used in reference to an individual person** means to state her or his full name, current address and telephone number, occupation and place of employment.

d. **"Person"** means any person or persons, business, company, partnership, firm, distributor or other insurable entity.

C. If any information called for by any interrogatory herein is withheld because You claim that such information is contained in a privileged document and/or communication, for each such written document or communication state:

1. Its date and type (e.g., letter or memorandum);
2. Its author;
3. The identity of the addressee;
4. The identity of all other persons who have received, copied or otherwise have been permitted to see all or part of the original or any copy thereof;
5. A description of each subject matter discussed, described or referred to therein;
6. The specific reason why you claim it is privileged; and

7. The name of its present custodian.

TIME PERIOD

These interrogatories, and all future interrogatories in this litigation, unless expressly indicated otherwise, pertain to the time period from November 1, 2005 through the date of responses, unless expressly indicated otherwise.

SPECIFIC DEFINITIONS

1. *“You” and “Your” shall refer to Wayne Wood*, as well as all persons acting on Your behalf, including, but not limited to, attorneys and their associates, investigators, employees, agents and other representatives.

2. *The “Property” shall refer to the property located at 5000/5002 Old Shakopee Road, Bloomington, Minnesota 55437*, as well as any part, internal or external, thereof.

INTERROGATORIES

INTERROGATORY NO. 1:

Please identify all persons who have any knowledge or information about any of the allegations, claims, facts, or other matters asserted in the Complaint in this lawsuit, in Your Answer or other response to the Complaint in this lawsuit, or in Your Counterclaim.

INTERROGATORY NO. 2:

For each person identified in response to Interrogatory 1:

- a. Please describe in detail the knowledge or information possessed by each person identified in response to Interrogatory 1;
- b. Please identify the bases or source from which the knowledge or information has been derived;
- c. Please identify the person's address and contact information.

INTERROGATORY NO. 3:

If You deem that Plaintiff made any admissions that are admissible in this case, please describe with particularity the admission, including the time, date, and place it occurred, and the substance of the admission. Identify all persons who have any knowledge or familiarity with the admission, and describe the knowledge or information they possess about the admission.

INTERROGATORY NO. 4:

Please describe all contacts, communications, or interactions between You and the Plaintiff or between You and any third party (other than your legal counsel) with respect to any matter pertaining to the allegations in this lawsuit. For each, state the following:

- a. The person or persons participating;
- b. The time, date, and place;

- c. The form, whether written, oral, or otherwise;
- d. The substance of the contact, communication, or interaction.

INTERROGATORY NO. 5:

Please describe in detail the contents of any negotiations or communications between You and the Plaintiff related to the Plaintiff's performance of any gardening, landscaping, lawn care, lawn arrangement, or lawn sculpting.

INTERROGATORY NO. 6:

Please describe in detail the factual basis for Your allegation that the contract between You and Plaintiff was modified, and identify all documents or records which evidence such modification.

INTERROGATORY NO. 7:

Please describe in detail the factual basis for all damages You claim in this lawsuit.

INTERROGATORY NO. 8:

Please describe in detail any statements or communications between You and Plaintiff's workers.

INTERROGATORY NO. 9:

Please describe in detail any statements or communications between You and Sheila Johnson.

INTERROGATORY NO. 10:

Please describe in detail all terms of the contract between You and Plaintiff, and identify all documents or records which evidence such terms.

LEGALLANDING LAW OFFICES

Date: July __, 2010

By: _____

Attorney (#xxxxxx)
LegalLanding Law Offices
1050 East Law Boulevard
Minneapolis, MN 55402
(612) xxx-xxxx

ATTORNEYS FOR PLAINTIFF