

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

DISTRICT COURT  
FOURTH JUDICIAL DISTRICT

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Acme Home & Garden, LLC,

Plaintiff,

v.

John Doe,

Defendant.

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Case Type: Contract

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

**DEFENDANT'S RESPONSE TO  
PLAINTIFF'S FIRST SET OF  
INTERROGATORIES**

TO: PLAINTIFF ACME HOME & GARDEN, LLC, BY AND THROUGH ITS ATTORNEYS,  
LEGALLANDING LAW OFFICES, 1050 EAST LAW BOULEVARD, MINNEAPOLIS, MINNESOTA  
55402

**GENERAL OBJECTIONS**

1. The following responses are without in any way waiving or intending to waive:
  - (a) All questions as to competency, relevancy, materiality, privilege and admissibility as evidence of these responses or their subject matter for any purpose in this or any other proceeding;
  - (b) The right to object on any ground to the use of these responses or the subject matter thereof in this or any other proceeding;
  - (c) The right to object to any request or demand for further response to these or any other discovery requests involving or relating to the subject matter of the responses herein; and
  - (d) The right at any time to revise, correct, add to or modify any of these responses.
2. Defendant John Doe objects to these interrogatories to the extent they seek information protected by the attorney-client privilege or work product doctrine, as defined by statute, rule or common law.
3. Defendant John Doe objects to these interrogatories to the extent they attempt to impose an obligation to supplemental responses beyond that contained in the Rules of Civil Procedure.

4. Defendant John Doe objects to these interrogatories to the extent Plaintiff already possesses or has equal access to the information sought by these interrogatories.

5. Defendant John Doe objects to these interrogatories to the extent they attempt to expand the definition of terms to be substantially broader than the requirement of the Rules of Civil Procedure. Accordingly, Defendant's responses shall be limited to the requirements of the Rules of Civil Procedure.

6. Discovery in this case is not complete. Defendant John Doe accordingly reserves the right to supplement, change or modify these responses to Plaintiff's Interrogatories at anytime.

Subject to and without waiving Defendant's General Objections, Defendant responds as follows:

**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.

**Defendant objects to this interrogatory as being overbroad and overly burdensome.**

**Without waving any objections, Defendant responds as follows:**

- 1. John Doe**
- 2. Sheila Johnson**
- 3. All employees of Plaintiff assigned to work at Defendant's home.**

**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.

**Defendant objects to this interrogatory to the extent that Plaintiff possesses or has equal access to the requested information. Without waiving any objections, Defendant answers as follows:**

- 1. John Doe. 1521 NW 17th Street, Pleasantville, Minnesota. Has personal knowledge and information related to the agreement at issue in this litigation.**
- 2. Sheila Johnson. 8723 Independent Lane, Minneapolis, Minnesota. Has personal knowledge and information related to the agreement at issue in this litigation.**
- 3. Employees of Plaintiff. Possess information related to Plaintiff's performance on the agreement at issue in this litigation.**

**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.

**Defendant objects to this interrogatory as being vague, overbroad, and overly burdensome.**

**Not waiving any objections, Defendant answers as follows:**

**On several occasions between April 16, 2010 and May 10, 2010, Sheila Johnson admitted that the agreement between the parties had been modified to require that Plaintiff begin work no earlier than 11:00 a.m. on any given work day, and that Plaintiff would complete performance on the agreement no later than April 30, 2010.**

**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.

**Defendant objects to this interrogatory as being vague, overbroad, overly burdensome, and as seeking information not relevant to the issues in this litigation. Not waiving any objections, Defendant answers as follows:**

**Defendant spoke with Plaintiff, through its representatives, on several occasions between April 16, 2010, and May 10, 2010, on the telephone and in person, regarding the agreement between the parties and Plaintiff's failure to comply with the terms of that agreement.**

**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.

**Defendant entered into a contract with Plaintiff on April 16, 2010 for Plaintiff to install its "Gold Package" on Defendant's property. The terms of the contract included that Defendant would pay \$2000 up front, Plaintiff would begin work no earlier than 11:00 a.m. on any work day, that Plaintiff would complete the work no later than April 30, 2010, and that, upon completion, Defendant would pay the remaining \$7000.**

**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.

**See Defendant's response to Request for Production of Documents. Defendant contends that the documents speak for themselves.**

**INTERROGATORY NO. 7:**

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

**Plaintiff failed to complete performance of the contract by its terms.**

**INTERROGATORY NO. 8:**

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

**See answer to Interrogatory No. 4.**

**INTERROGATORY NO. 9:**

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

**See answers to Interrogatory No. 3 and Interrogatory No. 4.**

**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.

**See Defendant's response to Request for Production of Documents. Defendant contends that the documents speak for themselves.**

**RAGAN LAW OFFICES**

Date: July \_\_\_, 2010

By: \_\_\_\_\_  
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550 Broadview Street

Minneapolis, Minnesota 55402  
(612) xxx-xxxx

**ATTORNEY FOR DEFENDANT**