JELD-WEN, INC.’S RESPONSES TO PLAINTIFF’S REQUEST FOR PRODUCTION OF DOCUMENTS (SET NUMBER ONE)

Defendant/JELD-WEN, Inc. dba SUMMIT WINDOW & PATIO DOOR (hereinafter “JELD-WEN” or “responding party”) hereby responds to the Requests for Production of Documents (Set Number One) served by Plaintiff CILKER APARTMENTS, LLC as follows:

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I.

GENERAL CONDITIONS AND OBJECTIONS

1. Object to the request to the extent they call for attorney-client privileged matters, other legally privileged information, or documents subject to the attorney-work product exemption, and shall not produce such documents. All correspondence and notes between responding party and its counsel shall be withheld on this basis.

2. Object that documents are not organized according to the subject matter categories specified in the request, and reserve the right to produce pertinent files in their normal business order rather than locating specific documents containing the requested subject matter. Documents shall not be organized in response to specific categories in the request, which categories are overlapping and broad. The requesting parties can as easily compile and order such documents upon production.

3. A full or partial response to any request is not to be deemed a waiver of the general conditions and specified objections to such request, nor does it imply that any documents actually exist in the category requested.

4. Responses to each request are based upon presently known information.

5. Object to certain request, specified below, based upon the “right of privacy” which refers to those rights held under the California Constitution, California case law, and such other legal basis as give rise to such protections.

6. Responding party further objects to each and every request to the extent that it seeks documents from persons or entities other than this responding party, and on the ground that such request is costly, burdensome, oppressive, and unreasonable and on further grounds that the law does not require a party to locate documents or compile information in the possession of others.

7. Responding party’s research, investigation, discovery and analysis is continuing and thus, responding party makes the responses set forth herein based upon facts and information presently known and available to it.

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8. The following responses are provided without prejudice to responding party’s right to rely on different or additional evidence at the time of trial.

9. Responding party further reserves the right to supplement or amend the enclosed responses based upon evidence obtained through discovery, and to offer such evidence at the time of trial.

10. The following responses should not be taken as an admission that “facts” assumed or stated in the request or the response exist.

11. Each of the foregoing conditions and objections is incorporated into each of the following responses.

   Based upon the above, responding party responds as follows:

   II.

   REQUESTS FOR PRODUCTION OF DOCUMENTS

   REQUEST FOR PRODUCTION NO. 1: Any and all DOCUMENTS identified in YOUR responses to Special Interrogatories, Set One.

   RESPONSE: Documents responsive to this request have already been deposited into the document depository.

   REQUEST FOR PRODUCTION NO. 2: Any and all DOCUMENTS identified in YOUR responses to Form Interrogatories, Set One.

   RESPONSE: Documents responsive to this request have already been deposited into the document depository.

   REQUEST FOR PRODUCTION NO. 3: Any and all contracts YOU entered into with respect to the PROJECT.

   RESPONSE: Documents responsive to this request have already been deposited into the document depository.

   REQUEST FOR PRODUCTION NO. 4: Any and all change orders with respect to the PROJECT.

   RESPONSE: Objection. This request is vague and ambiguous as to the term “change orders.” However, without waving these objections or the general conditions
and objections stated above, responding party responds as follows: After a diligent search, responding party does not possess documents which are responsive to this request.

**REQUEST FOR PRODUCTION NO. 5:** Any and all plans with respect to the PROJECT.

**RESPONSE:** Objection. This request is vague and ambiguous as to the term “plans.” However, without waving these objections or the general conditions and objections stated above, responding party responds as follows: After a diligent search, responding party does not possess documents which are responsive to this request.

**REQUEST FOR PRODUCTION NO. 6:** Any and all specifications with respect to the PROJECT.

**RESPONSE:** Objection. This request is vague and ambiguous as to the term “specifications.” However, without waving these objections or the general conditions and objections stated above, responding party responds as follows: After a diligent search, responding party does not possess documents which are responsive to this request.

**REQUEST FOR PRODUCTION NO. 7:** Any and all shop drawings with respect to the PROJECT.

**RESPONSE:** Objection. This request is vague and ambiguous as to the term “shop drawings.” However, without waving these objections or the general conditions and objections stated above, responding party responds as follows: After a diligent search, responding party does not possess documents which are responsive to this request.

**REQUEST FOR PRODUCTION NO. 8:** Any and all photographs with respect to the PROJECT.

**RESPONSE:** Objection. This request is overbroad and thus unduly burdensome upon responding party. However, without waving these objections or the general conditions and objections stated above, responding party responds as follows: After a
diligent search, responding party does not possess documents which are responsive to this request.

**REQUEST FOR PRODUCTION NO. 9:** Any and all job notes with respect to the PROJECT.

**RESPONSE:** Objection. This request is overbroad and thus unduly burdensome upon responding party. This request is vague and ambiguous as to term “job notes.” However, without waving these objections or the general conditions and objections stated above, responding party responds as follows: Documents responsive to this request have already been deposited into the document depository.

**REQUEST FOR PRODUCTION NO. 10:** Any and all job files with respect to the PROJECT.

**RESPONSE:** Objection. This request is overbroad and thus unduly burdensome upon responding party. This request is vague and ambiguous as to the term “job files.” However, without waving these objections or the general conditions and objections stated above, responding party responds as follows: Documents responsive to this request have already been deposited into the document depository.

**REQUEST FOR PRODUCTION NO. 11:** Any and all schedules with respect to the PROJECT.

**RESPONSE:** Objection. This request is overbroad and thus unduly burdensome upon responding party. This request is vague and ambiguous as to term “schedules.” However, without waving these objections or the general conditions and objections stated above, responding party responds as follows: After a diligent search, responding party does not possess documents which are responsive to this request.

**REQUEST FOR PRODUCTION NO. 12:** Any and all invoices with respect to the PROJECT.

**RESPONSE:** Objection. This request is overbroad and thus unduly burdensome upon responding party. However, without waving these objections or the general conditions and objections stated above, responding party responds as follows:
Documents responsive to this request have already been deposited into the document depository.

**REQUEST FOR PRODUCTION NO. 13:** Any and all memos with respect to the PROJECT.

**RESPONSE:** Objection. This request is overbroad and thus unduly burdensome upon responding party. This request seeks information that is irrelevant and not likely to lead to the discovery of admissible evidence. This request is vague and ambiguous as to the term “memos.” However, without waving these objections or the general conditions and objections stated above, responding party responds as follows: Documents responsive to this request have already been deposited into the document depository.

**REQUEST FOR PRODUCTION NO. 14:** Any and all correspondence with respect to the PROJECT.

**RESPONSE:** Objection. This request is overbroad and thus unduly burdensome upon responding party. This request is vague and ambiguous as to the term “correspondence.” However, without waving these objections or the general conditions and objections stated above, responding party responds as follows: Documents responsive to this request have already been deposited into the document depository.

**REQUEST FOR PRODUCTION NO. 15:** Any and all timecards with respect to the PROJECT.

**RESPONSE:** Objection. This request is overbroad and thus unduly burdensome upon responding party. This request is vague and ambiguous as to the term “timecards.” However, without waving these objections or the general conditions and objections stated above, responding party responds as follows: Documents responsive to this request have already been deposited into the document depository.

**REQUEST FOR PRODUCTION NO. 16:** Any and all release and/or settlement agreements entered into regarding the PROJECT and/or Plaintiff.

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RESPONSE: Objection. This request is compound. However, without waving these objections or the general conditions and objections stated above, responding party responds as follows: After a diligent search, responding party does not possess documents which are responsive to this request.

DATED: November 24, 2015

THE SIEVING LAW FIRM, A.P.C.

By: /s/ Richard N. Sieving

RICHARD N. SIEVING
Attorney for Defendant/Cross-Defendant/Cross-Complainant JELD-WEN, inc. dba SUMMIT WINDOW & PATIO DOOR (erroneously sued herein as separate entities “SUMMIT WINDOW & PATIO DOOR” and “Doe 3: Jeld-Wen, Inc. dba Summit Window & Patio Door”)
VERIFICATION TO FOLLOW