

1 JON B. ZIMMERMAN [SBN. 112281]
GREGORY B. COHEN [SBN. 225510]
2 ROBINSON & WOOD, INC.
227 N 1st Street
3 San Jose, California 95113
Telephone: (408) 298-7120
4 Facsimile: (408) 298-0477
5 Attorneys for Cross-Defendant, CILKER
ORCHARDS
6
7

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SANTA CLARA
10

11 CILKER APARTMENTS, LLC,
12 Plaintiff,

13 vs.

14 WESTERN NATIONAL CONSTRUCTION,
MCLARLAND, VARQUEZ & PARTNERS,
15 GROUP M ENGINEERS, GENTRY
ASSOCIATES CONSTRUCTION
16 CONSULTANTS, LARCO INDUSTRIES,
FITCH PLASTERING, COURTNEY
17 WATERPROOFING, CELL CRETE, LOS
NIETOS CONSTRUCTION, MADERA
18 FRAMING, KELLY DOOR, TARA
COATINGS, LDI, and DOES 1-100,
19 inclusive,
20 Defendant.

Case No. 113CV258281

**PLAINTIFF CILKER APARTMENTS,
LLC'S OBJECTIONS TO THE
DEPOSITION SUBPOENA FOR
PRODUCTION OF RECORDS TO
RHONDA SOROCHIN ISSUED BY
DEFENDANT WESTERN NATIONAL
CONSTRUCTION**

21 AND RELATED CROSS-ACTIONS
22

23
24 Plaintiff CILKER APARTMENTS, LLC hereby objects to the Deposition Subpoena for
25 Production of Records, and the specific categories of documents to be produced set forth as
26 Attachment 3 thereto, to Rhonda Sorochin, issued by Defendant and Cross-Complainant
27 WESTERN NATIONAL CONSTRUCTION as follows:
28

DOCUMENTS TO BE PRODUCED

1
2 1. "Any and all DOCUMENTS concerning or relating to operations manuals
3 pertaining to the Cilker PROPERTY at anytime from January 1, 2003 to the present"

4 **Objection:** Overbroad and harassing in time and scope. The extensive breadth of this
5 Document Request seeks material which is not relevant to the subject matter of this litigation, and
6 not likely to lead to the discovery of admissible evidence. Additionally, the Document Request
7 seeks potentially confidential material privileged and protected from disclosure and production on
8 the grounds of constitutional rights of privacy, the attorney client privilege, the attorney work
9 product rule, and the mediation and settlement privileges.

10 2. "Any and all DOCUMENTS concerning or relating to operations manuals
11 pertaining to any multi-story, multi-unit apartment buildings to which YOU have provided
12 services at anytime from January 1, 2003"

13 **Objection:** Overbroad and harassing in time and scope. This Document Request seeks
14 material that is not relevant to the subject matter of this litigation, and not likely to lead to the
15 discovery of admissible evidence. Additionally, the Document Request seeks potentially
16 confidential material privileged and protected from disclosure and production on the grounds of
17 constitutional rights of privacy, the attorney client privilege, the attorney work product rule, and
18 the mediation and settlement privileges. Additionally, the request is unduly burdensome,
19 harassing and oppressive as it seeks documents that have absolutely no relationship to the subject
20 project or dispute.

21 3. "Any and all DOCUMENTS concerning or relating to maintenance schedules
22 pertaining to the Cilker PROPERTY and any other multi-story, multi-unit apartment buildings to
23 which YOU have provided services any anytime from January 1, 2003 to the present.

24 **Objection:** Overbroad and harassing in time and scope. This Document Request seeks
25 material that is not relevant to the subject matter of this litigation, and not likely to lead to the
26 discovery of admissible evidence. Additionally, the Document Request seeks potentially
27 confidential material privileged and protected from disclosure and production on the grounds of
28 constitutional rights of privacy, the attorney client privilege, the attorney work product rule, and

1 the mediation and settlement privileges. Additionally, the request is unduly burdensome,
2 harassing and oppressive as it seeks documents that have absolutely no relationship to the subject
3 project or dispute.

4 4. "All budgets for the Cilker PROPERTY from January 1, 2003 to the present."

5 **Objection:** Overbroad and harassing in time and scope. This Document Request seeks
6 material that is not relevant to the subject matter of this litigation, and not likely to lead to the
7 discovery of admissible evidence. Additionally, the Document Request seeks potentially
8 confidential material privileged and protected from disclosure and production on the grounds of
9 constitutional rights of privacy, the attorney client privilege, the attorney work product rule, and
10 the mediation and settlement privileges. Additionally, the request is unduly burdensome,
11 harassing and oppressive as it seeks documents that are equally available and already in the
12 possession of the requesting party.

13 5. "Any and all DOCUMENTS concerning or relating to Unit Turnover Checklists for
14 the Cilker PROPERTY at anytime from January 1, 2003 to the present."

15 **Objection:** Overbroad and harassing in time and scope. This Document Request seeks
16 material that is not relevant to the subject matter of this litigation, and not likely to lead to the
17 discovery of admissible evidence. Additionally, the Document Request seeks potentially
18 confidential material privileged and protected from disclosure and production on the grounds of
19 constitutional rights of privacy, the attorney client privilege, the attorney work product rule, the
20 mediation and settlement privileges, and the confidentiality of private financial documents and
21 records.

22 Dated: March 17, 2016

ROBINSON & WOOD, INC.

23
24 By: 

JON B. ZIMMERMAN
GREGORY B. COHEN

Attorneys for Plaintiff, CILKER
APARTMENTS, LLC

1 **PROOF OF SERVICE**
2 *Cilker Apartments v. Western National Construction, et al*
3 **Case No.: 113CV258281**

4 I, Jennifer K. Timbol, declare:

5 I am over the age of eighteen (18) years and not a party to the within entitled action. I am
6 employed by Robinson & Wood, Inc., 227 N 1st Street, San Jose, California 95113. I am readily
7 familiar with Robinson & Wood, Inc.'s practice for collection and processing of documents for
8 delivery by way of the service indicated below.

9 On March 17, 2016, I served the following document(s):

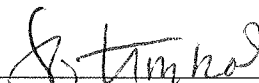
10 **PLAINTIFF CILKER APARTMENTS, LLC'S OBJECTIONS TO THE**
11 **DEPOSITION SUBPOENA FOR PRODUCTION OF RECORDS TO RHONDA**
12 **SOROCHIN ISSUED BY DEFENDANT WESTERN NATIONAL**
13 **CONSTRUCTION**

14 on the interested party(ies) in this action as follows:

15 **By Electronic Service.** By causing said document(s) to be served on the interested parties
16 via electronic service utilizing the Electronic Filing Service Provider as ordered by this Court. A
17 copy of the filing receipt page will be maintained with the original document(s) in this office.

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

20 Executed on March 17, 2016, at San Jose, California.

21 
22 _____
23 Jennifer K. Timbol

24 **ROBINSON & WOOD, INC.**
25 **ATTORNEYS AT LAW**