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7 Attorney for Petitioner
8 COMMUNITY VENTURES PARTNERS, INC.

9 **SUPERIOR COURT OF CALIFORNIA, COUNTY OF MARIN**

10
11 COMMUNITY VENTURES PARTNERS,)
12 INC.,)

13 Petitioner/Plaintiff,)

14 vs.)

15)
16 COUNTY OF MARIN,)

17 Respondent/Defendant.)

Case No.: CV 1404718

**PETITIONER'S REQUEST FOR
PRODUCTION OF DOCUMENTS AND
THINGS, SET ONE**

[Code of Civ. Pro. Section 2031.010]

CMC Date: May 21, 2015

Time: 8:30 am

Dept.: B

Honorable Roy O. Chernus

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19 **REQUESTING PARTY: PETITIONER, COMMUNITY VENTURES PARTNERS, INC.**

20 **RESPONDING PARTY: RESPONDENT, COUNTY OF MARIN**

21 **SET NUMBER: ONE**

22 **TO RESPONDENT, COUNTY OF MARIN, AND TO ITS ATTORNEY OF RECORD HEREIN:**

23 COMES NOW Petitioner, COMMUNITY VENTURES PARTNERS, INC., and requests that
24 Respondent, COUNTY OF MARIN ("COUNTY"), produce and permit the inspection and copying or
25 photographing, pursuant to Code of Civil Procedure, Section 2031.010, of all documents within the
26 Respondents' control or in the control of Respondents' attorney, specified as below. COUNTY shall make
27 such production within thirty (30) days at Law Office of Edward E. Yates, at 1000 Fourth Street, Suite
28 800, San Rafael, CA 94901.

1 In lieu of providing the requested documents at the time and date specified above, the responding
2 parties may forward legible copies of said documents to Petitioner's attorneys at any time prior to the date
3 for production.

4 **INSTRUCTIONS**

5 In producing documents or things pursuant to these demands, please identify the documents and
6 things as set out below under the term "Identify" under Definitions.

7 A written response under oath to this demand is also required of respondents within thirty (30)
8 days after service of this demand, consisting of a statement that respondents will comply with this demand
9 or a statement that respondents lack the ability to comply with this demand, or an objection to this demand
10 either in its entirety or in some particular respect. If objection is made to only part of an item or category
11 of item requested in this demand, said response shall contain a statement of compliance or a representation
12 of inability to comply with respect to the remainder of that item or category.

13 A statement that respondents will comply with this demand shall state that the production and
14 inspection will be allowed either in whole or in part and that all documents or things in a demanded
15 category which are in possession, custody or control of respondents and to which no objection is being
16 made will be included in production.

17 A representation of inability to comply with any particular item or category of times demanded
18 shall affirm that a diligent search and a reasonable inquiry has been made in an effort to comply with the
19 demand and the statement shall also specify whether the inability to comply is because of the particular
20 item or category of item, (a) has never existed; (b) has been destroyed; (c) has been lost, misplaced, or
21 stolen; or (d) has never been, or is no longer in the possession, custody or control of respondents, as well
22 as the name and address of any natural person or organization known or believed by respondents to have
23 possession, custody or control of that item or category of item.

24 **DEFINITIONS**

25 For the purpose of this request, the terms used herein are defined as follows:

26 "Documents" includes written reports, letters, books, telegrams, memoranda, drawings, notes,
27 tape recording, photographs or any other written or graphic material or communication, however
28

1 denominated. This includes any documents that exist on any computer hard drives that have been deleted
2 or discarded elsewhere.

3 “Identify,” when used with reference to a document or writing, means to:

4 (a) State the date of preparation, author, title (if any), subject matter, number of pages and
5 type of document (e.g., contract, letter, report, etc.);

6 (b) Identify each and every person who prepared or participated in the preparation of the
7 document or writing;

8 (c) Identify each and every person who received a copy of the document;

9 (d) State the present location of the document or writing;

10 (e) Identify each and every person having custody or control of the document or writing;

11 (f) State whether any copy of the document or writing is not identical to the original by
12 reason of shorthand or other written notes, initials or any other modifications;

13 (g) State, if the document or writing has been destroyed, the circumstances surrounding
14 and the reason for the destruction; and

15 (h) Identify, if the document or writing has been destroyed, each and every person who
16 destroyed or participated in, ordered, suggested or was informed of the destruction of it.

17 “Writing” means handwriting, typewriting, printing, photostating, photographing, and every other
18 means of recording upon any tangible thing, any form of communication or representation, including
19 letters, words, pictures, sounds or symbols or combinations thereon, as defined in Section 250 of the
20 Evidence Code.

21 **REQUESTS FOR PRODUCTION**

22 1. Any and all documents and communications, including, but not limited to, emails, notes,
23 mail or other forms of written communication initiated or received by Ms. Katie Rice, Ms. Judy Arnold
24 and their staff, Mr. Matthew Hymel and his staff or Mr. Bryan Crawford and his staff, regarding Mr.
25 Hymel's and Mr. Crawford's addressing, discussing, presenting, or reporting on any aspect of the 2015-
26 2023 Housing Element at the COUNTY Board of Supervisors' meeting on August 19, 2015;

27 2. Any and all documents and communications, including, but not limited to, emails, notes,
28 mail or other forms of communications initiated or received by Ms. Katie Rice, Ms. Judy Arnold and their


1 staff, Mr. Matthew Hymel and his staff or Mr. Bryan Crawford and his staff,, regarding any County of
2 Marin Supervisors addressing, discussing, presenting, or reporting on any aspect of the 2015-2023
3 Housing Element at the COUNTY Board of Supervisors meeting on August 19, 2015; and

4 3. Any and all documents and communications, including, but not limited to, emails, notes,
5 mail or other forms of written communication initiated or received by Ms. Katie Rice, Ms. Judy Arnold,
6 Mr. Matthew Hymel or Mr. Bryan Crawford, from January 1, 2014 to December 31, 2014, regarding
7 letters sent to COUNTY from Bob Silvestri, President, Community Ventures Partners.

8 4. Any and all documents and communications that state the COUNTY's entire and current
9 records/document/file retention policy.

10 Dated this 15th day of April, 2015

LAW OFFICE OF EDWARD E. YATES

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14 Edward E. Yates
15 Attorney for Petitioner
16 Community Ventures Partners
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