

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION
Landlord and Tenant Branch

_____)	
[Landlord],)	
)	
Plaintiff,)	
)	
v.)	Case No. [redacted]
)	
[Tenant],)	Next Event: Status Hearing
)	
Defendant.)	
_____)	

DEFENDANT'S REQUEST FOR PRODUCTION
OF DOCUMENTS TO PLAINTIFF

To: **[Landlord]**
c/o: [Attorney]
[Address]

Pursuant to Super. Ct. Civ. R. 34, made applicable to the Landlord-Tenant Branch by Super. Ct. LT R. 2 and Super. Ct. LT R. 10, Defendant respectfully requests that Plaintiff, within 30 days of receipt of this request, produce a copy, or allow Defendant to inspect and copy, each of the following documents:

INSTRUCTIONS

1. Your response to each request should be based upon your entire knowledge from all sources and all information in your possession or otherwise available to you, including information in the possession of officers, employees, agents, representatives, consultants, or attorneys. You should review every document or source of information, including those not within your immediate or direct control, in responding to each request herein.

2. If you cannot respond in full to any of the following requests, respond to the extent possible, stating all information or knowledge you have concerning the portion to which

you are responding and specifying the reason for your inability to respond to the remainder. If your responses are qualified in any respect, set forth the terms and explanations of each such qualification.

3. If you object to any of the requests on any grounds, state said grounds completely. If the request is only partly objectionable, respond to the remainder of the request as set forth above.

4. Each request should be answered separately. Documents should be identified with reference to the particular request for which the documents are being provided.

5. These requests are continuing in character. You are required to file supplemental responses if you obtain different and/or additional documents prior to and including the date of trial.

6. You are required to serve a copy of your response to the interrogatories upon the attorney listed below within 30 days after service of the same upon you.

DEFINITIONS

The following definitions form an integral part of these interrogatories:

1. "Document(s)": The term "document(s)" means any written, printed, typed, electronically stored, or other graphic matter of any kind or nature, including drafts and all copies bearing notations or marks not found on the original and includes, but is not limited to:

(a) All contracts, agreements, representations, warranties, certificates, opinions;

(b) All letters or other forms of correspondence or communication, including envelopes, notes, emails, telegrams, cables, telex messages, messages (including reports, notes, notations, recordings, transcripts, emails and memoranda of or relating to telephone conversations or conferences);

(c) All memoranda, reports, financial statements or reports, notes, transcripts, tabulations, studies, analyses, evaluations, projections, work papers, charts, graphs, extracts, statistical records, compilations;

(d) All desk calendars, appointment books, diaries;

(e) Newspapers, booklets, circulars, bulletins, notices, instruction manuals;

(f) All minutes or transcripts of all meetings;

(g) All photographs, microfilms, phonographs, tapes, or other records, punch cards, magnetic tapes, disc, data cells, drums, printouts, and other data compilations, from which information can be obtained (translated through detection devices into useable form).

2. "Person(s)": The term "person(s)" as used herein means a natural person, partnership, joint venture, corporation, business trust company, association, firm, society, joint stock company, and any other form of legal entity, unless the context otherwise requires.

3. "Communication": The term "communication(s)" as used herein means any written or oral contact, formal or informal, at any time or place, and under any circumstances whatsoever, whereby information of any nature was transmitted and transferred. It includes, but is not limited to, meetings, telephone conversations, discussions, reports, executive summaries, briefings, and oral requests for information. It includes, but is not limited to, letters, emails, notes, notices, pleadings and other legal filings, memoranda, advertisements, post cards, and telegrams.

4. "Identify" or "identity" means:

(a) With respect to a person, his or her name, present or last known home address and telephone number, present or last known place of employment, including address and telephone number, and each office, title or position, if any, held at any time with plaintiff, and the nature of his or her relationship with plaintiff, past and present.

(b) With respect to a contract, instrument or document:

- (i) Which exists and is currently in possession of or obtainable by plaintiff or its agents (including, but not limited to, its attorneys), the type of document (e.g., letter, memorandum, record, list, report, charts, etc.), date, identification of the person or persons who prepared the document, identification of the person for whom the document was prepared, the name(s) of each signatory thereof, and to whom it was delivered, and the identification of the present custodian and current location of that document;
- (ii) Known to have existed but no longer existing, the type of document, (e.g., letter, memorandum, record, list, report, chart, etc.), its last custodian, and the date and circumstances under which the document was lost, destroyed or became unavailable;
- (iii) Formerly in the possession of plaintiff or its agent (including, but not limited to, its attorneys) but no longer in its possession, the type of document, the date and the circumstances under which the document left the possession of the plaintiff and the identification of its present custodian and location.

(c) With respect to all communications, the date of the communication, the name of each party to the communication, the substance thereof and the method of communication (e.g., in person or by telephone).

5. "With regard to," "pertaining to," "regarding," "relating to," "related to," "with respect to," or "involving" any given subject means any fact, document, or oral communication that constitutes, deals with or is in any way pertinent to that given subject.

6. "You" or "your" refers to the party to whom these interrogatories are addressed, including your employees, agents, officers, directors, representatives, your attorneys, unless

privileged, and any corporation or other entity over which you exercise some control or access to information or documents.

7. The “premises” or “subject premises” refers to defendant’s current apartment and the common areas in or around the building wherein defendant’s apartment is or was located.

8. The “period in question,” the “period involved in the present suit,” or the “relevant period” refer, unless otherwise indicated, to the period beginning three years prior to the filing of plaintiff’s complaint in the present case and running through the present time.

REQUEST FOR PRODUCTION OF DOCUMENTS

1. Any and all Landlord Registration Statements on file with the Rental Accommodations Division for the subject premises for the period involved in the present suit.

2. Any and all licenses issued in connection with the subject premises, including, but not limited to, Property Manager’s License, Housing Business Licenses, and Certificates of Occupancy for the period involved in the present suit.

3. Any and all lease documents relating to the tenancy, including, but not limited to, any lease agreements, any assignments of any lease agreement, and any notices of rent increases issued by Plaintiff and served on Defendant for the period involved in the present suit.

4. Any and all receipts, invoices, contracts, and agreements for work performed in the subject premise of the building for the period in question.

5. Any and all receipts, invoices, contracts, and agreements specifically for work performed on the roof for the period in question.

6. Any and all correspondence and written notices between Plaintiff or any of Plaintiff’s agents or employees and Defendant.

7. Any and all memoranda created by Plaintiff or any of Plaintiff’s agents or employees regarding conversations between Plaintiff or any of Plaintiff’s agents or employees and Defendant.

8. Any and all memoranda created by Plaintiff or any of Plaintiff's agents or employees regarding conversations between Plaintiff or any of Plaintiff's agents or employees and any workmen who performed any work on the roof of the building or in the subject premises.

9. Any and all reports concerning the condition of the subject premises, including the roof and other common areas, issued by any government agency for period in question.

10. Any documents not already submitted that are relevant to claims or defenses of either party.

You are requested to produce all of the foregoing documents.

Respectfully submitted,

Edward Allen, D.C. Bar #910935
Supervising Attorney

Sarah E. Bardos, LS #12475
Student Attorney for Defendant
Housing and Consumer Law Clinic
UDC David A. Clarke School of Law
4200 Connecticut Avenue, NW, Bldg. 39, Rm. 209
Washington, DC 20008
(202) 274-5120

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing DEFENDANT'S REQUEST FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF was sent by first class mail, postage prepaid, on the ____ day of [date] to:

[Attorney]
Attorney for Plaintiff
[Address]

Sarah E. Bardos, LS #12475