

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 interrogatories on any grounds, state said grounds completely. If the interrogatory is only partly objectionable, respond to the remainder of the interrogatory as set forth above.

4. For each response:

a) Identify by description, date, sender, recipient, location and custodian each document relied upon or which forms a basis for the answer given or which corroborates the answer given or the substance of what is given in answer to these interrogatories;

b) State whether the information furnished is within the personal knowledge of the person answering and, if not, identify the person from whom the information or document was obtained, and attach an affidavit from said person attesting to the truthfulness of the answer; and

c) Identify each person who supplied any of the information stated in, or relied upon to prepare, the response, or who participated or assisted in preparing the response.

5. Each interrogatory should be answered separately. Interrogatories should not be combined for the purpose of supplying a common answer. An interrogatory should not be answered by referring to the answer of another interrogatory unless the answers are identical.

6. If you are asked to describe a particular document, the description should include the date the document was generated; the identity, address and phone number of the generator; the identity, address and phone number of the custodian of the document; the nature of the document; and the information contained therein.

7. If you are asked to describe a particular event, the description should include a detailed statement of what transpired; the name, address and telephone number of each and every witness to the event; the date the event occurred; and every action which you may have

taken in response to the event described. If there is more than one event described in response to the interrogatory, your response should clearly delineate between the events and a full description, as provided herein, should be given for each separate event.

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

9. 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 or former 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.

INTERROGATORIES

1. Identify the person signing and attesting to the truthfulness of these Interrogatories, and, if a different individual, the custodian of any business records relating to the premises.

2. Identify the person or persons who had the overall supervision of the subject premises during the period involved in the present suit.

3. Identify the person or persons who received complaints from tenants, and who had charge of plaintiff’s records regarding complaints, maintenance and repairs on defendant’s apartment, for the period involved in the present suit. If there was a regular procedure for receiving, recording, and investigating tenant complaints, please describe the procedure, identify the person or persons involved, state the date this procedure was instituted and state whether this procedure was followed in the present suit.

4. For the period involved in the present suit, please describe in as much detail as possible each and every complaint raised by defendant or members of defendant’s household with plaintiff regarding conditions in defendant’s apartment. Your description should include who made the complaint, who received it, the manner in which the complaint was made, when the complaint was made, and how and when the plaintiff responded to the complaint.

5. For the period involved in the present suit, please describe in as much detail as possible each and every communication between plaintiff and the Housing Inspection Section of the D.C. Office of Consumer and Regulatory Affairs or any other third party regarding conditions in defendant’s apartment or the common areas of the premises. Your description should include the identity of the parties to the communication, when and how the communication occurred, the nature and content of the communication, and any steps taken by plaintiff in

response to the communication. If plaintiff, or any agent or principal of plaintiff, or any third party made any inspections of either the premises or the common areas, particularly the roof, during the period involved in the present suit, please state for each inspection:

- a. the date of the inspection;
- b. the identity of the person performing the inspection; and
- c. a description of any and all housing deficiencies discovered during the

inspection.

6. Describe all repairs made to the subject premises, including the common areas, by plaintiff or by any agent or principal of plaintiff, during the period involved in the present suit, and for each such repair, please:

- a. identify the person(s) making the repair;
- b. state the date of the repair; and
- c. state the cost of the repair.

7. If repairs were not made to the premises following any complaints or any inspections of the subject premises, please identify any repairs not made, and state the reason the repairs were not made, including, but not limited to, claims that the defendant denied access to the subject premises or claims that the defendant caused the damage complained of.

8. State with particularity the date of, and the basis for, each rent increase related to defendant's apartment for the period beginning three years prior to the filing of plaintiff's complaint in the present action and running through the present time.

9. Please describe in as much detail as possible any communication, not previously described, between you and defendant. Your description should include the date of the communication, the nature and content of the communication, where the communication occurred, and the identity of any witnesses to the communication.

10. Identify any witnesses who plaintiff may call at trial, in addition to those previously identified in these Answers to Interrogatories.

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 INTERROGATORIES 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