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Attorney for Plaintiffs/Petitioners,
MARTIN B. SCHAPIRO EXODUS TRUST, dba PHOENIX GENESIS/MBS LP, a
California Limited Partnership; and DES MANTTARI, Individually and as Trustee of the MARTIN
B. SCHAPIRO EXODUS TRUST

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES - CENTRAL

MARTIN B. SCHAPIRO EXODUS, TRUST, DES MANTTARI, ET. AL.)	CASE NO. BS099138
)	
Plaintiffs/Petitioners,)	PLAINTIFF'S RESPONSE TO
)	FIRST REQUEST FOR PRODUCTION/
vs.)	INSPECTION OF DOCUMENTS
)	
SANTA MONICA COMMUNITY COLLEGE DISTRICT, ET AL.)	[CASE ASSIGNED TO JUDGE JANAVS]
)	
Defendants/Respondents.)	Law and Motion Cutoff: None
_____)	Discovery Cutoff: None
)	Trial Date: None Set

TO DEFENDANTS AND TO THEIR RESPECTIVE ATTORNEYS OF RECORD:

PROPOUNDING PARTY: DEFENDANTS/RESPONDENTS, SANTA MONICA
COMMUNITY COLLEGE DISTRICT, ETC., ET. AL.

RESPONDING PARTY: PLAINTIFF/PETITIONER DES MANTTARI

SET NUMBER: ONE (1)

PRELIMINARY STATEMENT

It should be noted that this responding party has not fully completed investigation of the
facts relating to this case and discovery is continuing in this action. All responses contained

herein are based only upon such information and documents which are presently available to and specifically known to this responding party.

It is anticipated that continuing discovery, independent investigation, legal research and analysis will supply additional facts resulting in further information and documents. The following responses are given without prejudice to this responding party's right to produce evidence of any subsequently discovered facts or documents. The responses contained herein are made in a good faith effort to supply information and documents presently in this responding party's custody, control and/or possession, or within his knowledge, but should in no way be to the prejudice of this responding party in relation to further discovery, research and analysis.

GENERAL OBJECTIONS

Plaintiff, Des Manttari, (hereinafter, "Plaintiff") incorporates the following General Objections into her responses to each and every request for production/inspection:

1. Plaintiff objects to each and every request for production to the extent that the request is vague, ambiguous, unintelligible, compound, and not full and complete in and of itself, so as to make a response possible without speculation as to the meaning of the production.

2. Plaintiff objects to each and every request for production to the extent that the request seeks information protected by the attorney/client privilege, the work product doctrine, or any other applicable privilege.

3. Plaintiff objects to each and every request for production to the extent that the request seeks plaintiff's counsel's legal reasoning, theory, or statutory basis supporting a factual conclusion.

4. Plaintiff objects to each and every request for production to the extent that the request is unduly and unreasonably oppressive, harassing, annoying, burdensome, overbroad or constitutes an abuse of the discovery practice.

5. Plaintiff objects to each and every request for production to the extent that the request seeks information equally available to defendants or presumably within the knowledge of

the defendants. Defendants can ascertain these documents from its own records or from other sources much more readily accessible to it than to plaintiff.

6. Plaintiff objects to each and every request for production to the extent that the request is overly broad and seeks information neither relevant to the subject matter of the action, nor reasonably calculated to lead to the discovery of admissible evidence.

Without waiving the foregoing objections, plaintiff responds as follows:

RESPONSE TO NO. 1:

Objections.

Plaintiff objects that this request is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects that this request is vague, ambiguous, and overbroad. Plaintiff further objects to the ambiguity and overbreadth of the words “writings,” “things,” and “conversations.” Plaintiff further objects to the ambiguity and overbreadth of “Santa Monica College District agents, officers, and/or employees.” Plaintiff additionally objects to the ambiguity and vagueness of “conversations for which you were present but did not participate.” Plaintiff additionally objects to the burdensomeness of the request as it is unlimited in time frame and, as such, overbroad, harassing, annoying, irrelevant, and unintelligible.

Plaintiff further objects that any such documents are in the custody and control of Defendants and, as a result, are more easily assessable to Defendants than to Plaintiff. Thus, this request is harassing, annoying, and burdensome. Plaintiff additionally objects to this request as it calls for documents protected by the attorney work product privilege and work product doctrine.

Plaintiff additionally objects that this request assumes a fact not admitted into evidence concerning “audio tape recordings, or other recordings of your conversations with Santa Monica Community College District agents, officers, and/or employees (including conversations for which you were present but did not participate).” Plaintiff further objects that this request is vague, ambiguous, and overbroad in its use of the terms “audio tape recordings” and “other

recordings.”

Plaintiff additionally objects on the grounds that this request seeks information neither relevant to the subject matter of the action, nor reasonably calculated to lead to the discovery of admissible evidence. This case deals exclusively with the inspection and production of documents in the custody and control of Defendants, as set forth in the California Public Records Act.

Dated: December 13, 2005

LEE & FIELDS
A Professional Corporation

By: _____

Edward Y. Lee
Attorney for Plaintiffs/Petitioners
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