

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

D.H.,

Plaintiff,

v.

MAYOR EDWARD MURRAY,

Defendant.

No. 17-2-09152-9SEA

DEFENDANT'S SECOND SET OF
INTERROGATORIES AND
REQUESTS FOR PRODUCTION TO
PLAINTIFF DELVONN HECKARD

TO: DELVONN HECKARD, Plaintiff

AND TO: LINCOLN BEAUREGARD, JULIE A. KAYS, and Connelly Law Offices,
Attorneys for Plaintiff

AND TO: LAWAND ANDERSON, and L.A. Law & Associates, Attorney for
Plaintiff

Defendant Mayor Edward Murray ("Murray" or "Defendant") requests that
Plaintiff Delvonn Heckard ("Plaintiff") respond to the following interrogatories and
requests for production of documents.

The following interrogatories are served pursuant to CR 33. To facilitate
preparation of answers Defendant will, upon request, provide an electronic copy of this
document. Please insert your answers in the space provided following each interrogatory.
Completed answers should be served on the undersigned counsel. Each interrogatory is to
be answered fully and separately, in writing and under oath, within thirty (30) days after
service of these discovery requests.

1 Pursuant to CR 34, Defendant further requests that Plaintiff, within thirty (30) days
2 after service of these discovery requests, produce for inspection and copying the
3 documents requested below, at the offices of McNaul Ebel Nawrot & Helgren, PLLC,
4 27th Floor, One Union Square, 600 University Street, Seattle, Washington 98101, or in
5 electronic format if agreed to by the parties.

6 **INSTRUCTIONS AND DEFINITIONS**

7 The following definitions and instructions are intended to supplement those set
8 forth in the Local Civil Rules, and are not intended to broaden such definitions and
9 instructions.

10 A. These interrogatories and requests for production are intended to be a
11 continuing obligation upon Plaintiff to furnish all information requested herein until final
12 disposition of this case. Corrections and supplemental responses are required as provided
13 for in the Rules of Civil Procedure. **Defendant will move the Court to exclude the**
14 **testimony of any person not identified or evidence not disclosed in answers to these**
15 **interrogatories, and will move to dismiss any defenses or claims related to any**
16 **requested documents within the possession, custody or control of Plaintiff that he**
17 **fails to produce or to identify individually on a privilege log in response to these**
18 **requests, and will move to exclude any other evidence offered by Plaintiff related to**
19 **such documents.**

20 B. These requests seek documents in the possession, custody or control of
21 Plaintiff, including (by way of example and not limitation) documents in the possession of
22 Plaintiff's current and former attorneys, partners, agents, accountants, or bankers.

23 C. In responding to each request for production, if you do not produce a
24 document in whole or in part because you are unable to do so, or for any other reason, you
25 are requested to state the name and address of each person whom you believe has custody,
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1 possession or control of the document, and the reason why you cannot produce the
2 document in whole or in part.

3 D. Objections and claims of privilege should not be made in a general, blanket
4 fashion. Rather, Plaintiff must indicate which objections or claims of privilege are
5 asserted with regard to each discovery request. If only part of a discovery request is
6 objected to, Plaintiff should indicate which objections or claims of privilege are asserted
7 with regard to each such part.

8 E. With regard to attorney-client privilege and work product doctrine
9 objections to interrogatories, describe the factual basis for your claim of privilege,
10 including relevant dates, persons involved in the communication, subject matters
11 involved, all persons present when the communications occurred, all persons who have
12 been told about any of the details of the communication and other information which
13 would permit the Court to adjudicate the validity of the claim of privilege.

14 F. With regard to each document withheld upon a claim of attorney-client
15 privilege or work product doctrine, prepare a document-by-document privilege log stating
16 the type of document (i.e., letter, memorandum, notes, etc.), date, preparer, intended
17 recipient(s), subject matter(s) and persons who have received the document or have been
18 told about the contents thereof, and other information which would permit the Court to
19 adjudicate the validity of the claim or privilege. This privilege log must be produced
20 contemporaneously with the documents produced in response to these requests.

21 G. If you object in part to any request for production, please respond to the
22 remainder completely.

23 H. In responding to each request for production, please identify by number
24 each and every request to which the documents are responsive.

25 I. All documents should be produced in the same order as they are kept or
26 maintained by you in the ordinary course of business and in the manual, booklet, binder,

1 file, folder, envelope or other container in which they are ordinarily kept or maintained. If
2 for any reason the container cannot be produced, produce copies of all labels or other
3 identifying markings thereon.

4 J. The term “documents” or “records” are intended to be interchangeable and
5 to be construed in their broadest sense including, but not limited to any original, recorded,
6 or graphic matter (handwritten, typed, computer-generated or otherwise produced) and all
7 non-identical copies of each such writing (whether different from the original because of
8 notes made on such copy or otherwise), including but not limited to: reports, drafts,
9 working papers, records, files, memoranda, invoices, correspondence, e-mail, drawings,
10 schedules, cost sheets and quotation forms, bids, computer-generated and mechanically-
11 created records, laser disks, compact disks, quotations, transcriptions of telephone
12 conversations, notes, diaries, printouts, photographs (whether hard or electronic and
13 whether stored physically or on a computer, phone, tablet, or other device), movies,
14 mechanical or sound recordings or transcripts thereof, videotape, letters and all enclosures
15 thereto, telegrams, tape recordings, transmittal documents, rough letters, revisions,
16 superseded documents, telexes, scratch papers, notebooks, notices, purchase orders,
17 contracts, bills of lading, amendments, modifications, revisions, agreements, bills,
18 estimates, statements of account, claims, specifications, logs, journals, work orders,
19 charge orders, vouchers, registers, any content created on any form of social media (i.e.,
20 Facebook content, Twitter content), texts, and all other manner and form of
21 communication not otherwise expressly described.

22 As noted, the terms “documents” or “records” include, among other information,
23 information stored in machine-readable form. In determining where responsive documents
24 in this form might be located, consider whether you have any equipment or media which
25 contain “documents” as defined herein, including but not limited to:
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1 a. Desktop personal computers (PCs) or workstations; PCs,
2 workstations, minicomputers, or mainframes used as file servers, application servers, or
3 electronic mail servers; other minicomputers and mainframes; laptops, notebooks, phones,
4 smart phones, smart phone apps, software, and/or programs, and/or other portable
5 computers; and home computers used for work-related purposes.

6 b. Backup disks and tapes, archival disks and tapes, and other forms of
7 offline storage, whether stored on-site with the computers used to generate them or off-
8 site in another computer facility or by a third party; and

9 c. Electronic mail messages, even if available only on backup or
10 archive disks or tapes.

11 K. All electronically-stored information (“ESI”) provided in response to these
12 requests should be produced in searchable, Bates-numbered PDF or single-page TIFF
13 images with document level OCR text files. ESI that does not readily convert to PDF,
14 including Excel spreadsheets and PowerPoint files, or cannot be converted to PDF, should
15 be produced natively and assigned a single Bates number. Documents produced in
16 searchable, Bates-numbered PDF or TIFF format should be named to match the beginning
17 Bates number associated with the file. ESI produced in response to these requests should
18 include the following metadata fields in a DAT file: begdoc, enddoc, begattach, endattach,
19 author, to, cc, bcc, custodian, createdate, createdtime, fileext, filename, filepath, filesize,
20 filetype, from md5hash, messageid, modifieddate, modifiedtime, nativelylink,
21 receiveddate, receivedtime, sentdate, senttime, subject, cdvol. For each document
22 produced in response to these requests, please produce a corresponding OPT load file
23 containing docid and path (i.e., ABC00001, Prod01\Images\00\ABC00001.pdf). Please
24 contact the undersigned attorney if you have any concerns about the appropriate format
25 for the production of ESI.
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1 L. Unless otherwise specified herein, the term “computer” includes but is not
2 limited to desktop PCs, workstations, minicomputers, or mainframes used as file servers,
3 application servers, or electronic mail servers; other minicomputers and mainframes;
4 laptops, notebooks, smart phones, phones, and other portable computers; and home
5 computers used for work-related purposes.

6 M. As used herein, the term “backup” includes but is not limited to backup
7 disks and tapes, archival disks and tapes, and other forms of offline storage, whether
8 stored on-site with the computers used to generate them or off-site in another computer
9 facility or by a third party.

10 N. As used herein, the phrase “describe” means to set out every aspect of
11 every fact, circumstance, act, omission, or course of conduct known to you relating in any
12 way to the matter inquired about, including, without limitation, the date and place thereof,
13 the identity of each person present, connected therewith, or who has knowledge thereof,
14 the identity of all documents relating thereto, and if anything was said by any person, the
15 identity of each such person and each such oral statement, and if the oral statement in
16 whole or in part was contained, reported, summarized or referred to in any documents, the
17 identity of each such document.

18 O. The term “person” means any individual, partnership, corporation, firm,
19 association or other business or legal entity.

20 P. The term “agent” and “agents” means any person authorized to act on
21 behalf of another person such as an attorney.

22 Q. The terms “and” and “or” wherever used herein shall be understood in both
23 the conjunctive and disjunctive sense, synonymous with “and/or.”

24 R. The terms “any” and “all” wherever used herein shall be understood in
25 their most inclusive sense, synonymous with “any or all.”
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1 S. The terms “you” and “your” means Plaintiff Delvonn Heckard, and any
2 person acting or purporting to act on his behalf including, without limitation, all agents,
3 representatives, personnel, attorneys, consultants, experts, investigators, or other persons.

4 T. The term “Corrected Amended Complaint” refers to the Amended
5 Complaint (Corrected) for Damages: Child Sex Abuse & Illegal Child Prostitution, filed
6 with the Court on April 19, 2017, as Dkt. 14.

7 U. “Identity” or “identify” means:

8 (1) when used with reference to a natural person, to state his or her full
9 name, his or her present home address, present business address, present home and
10 business telephone numbers, present or last known position, and business affiliation.

11 (2) when used in reference to any entity, such as a partnership, joint
12 venture, trust, or corporation, to state the full legal name of such entity, each name under
13 which such entity does business, the entity’s street address, the entity’s telephone number,
14 the identity of the chief operating officer, manager, trustee or other principal
15 representative and the identity of those persons employed by or otherwise acting for such
16 entity who are known or are believed to possess the knowledge or information responsive
17 to the interrogatory and for which the entity was identified.

18 (3) when used with reference to documents, to state specifically

19 (a) the type of documents involved (e.g., letter, interoffice
20 memorandum, etc.), together with information sufficient to enable Defendant to locate the
21 document, such as its date, the name of any addressee, the name of any signer, the title or
22 heading of the documents and its approximate number of pages; and

23 (b) the identity of the person last known to have possession of
24 the document, together with the present or last known location of the document. If any
25 document was, but is no longer, in your possession, custody or control, identify the
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1 document, state what disposition was made of it and the reason for such disposition. In
2 lieu of identifying documents, copies may be provided.

3 V. Unless otherwise stated, the date range of these discovery requests is
4 January 1, 1980 to the present.

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6 **INTERROGATORIES AND REQUESTS FOR PRODUCTION**

7 **INTERROGATORY NO. 12:** Please describe with particularity the furniture in
8 each of the rooms of Mr. Murray's apartment, identified in paragraph 3 of your Corrected
9 Amended Complaint, including but not limited to type, style, and color.

10 **ANSWER:**
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16 **INTERROGATORY NO. 13:** Please describe with particularity the wall
17 hangings, including but not limited to posters, paintings, photographs, and the like, in each
18 of the rooms of Mr. Murray's apartment, identified in paragraph 3 of your Corrected
19 Amended Complaint.

20 **ANSWER:**
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1 **INTERROGATORY NO. 14:** Please describe with particularity the walls—i.e.,
2 paint color, wallpaper, paneling, and/or other wall coverings—in each of the rooms in Mr.
3 Murray’s apartment identified in paragraph 3 of your Corrected Amended Complaint.

4 **ANSWER:**
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10 **INTERROGATORY NO. 15:** Please describe with particularity the flooring—
11 i.e., carpet, wood, linoleum, tile, rugs, and/or other floor coverings—including but not
12 limited to type, style, and color, in each of the rooms in Mr. Murray’s apartment identified
13 in paragraph 3 of your Corrected Amended Complaint.

14 **ANSWER:**
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20 **INTERROGATORY NO. 16:** Please describe with particularity any personal
21 items, including but not limited to figurines, statues, photographs, knick-knacks, plants,
22 candle holders, books, electronic equipment (stereo, television, etc.), kitchen appliances
23 (blender, toaster, etc.), and lamps or other lighting fixtures, in each of the rooms in Mr.
24 Murray’s apartment identified in paragraph 3 of your Corrected Amended Complaint.
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1 **ANSWER:**

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7 **REQUEST FOR PRODUCTION NO. 15:** Please produce all documents related

8 to your answers to the above interrogatories.

9 **RESPONSE:**


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12 INTERROGATORIES AND REQUESTS FOR PRODUCTION DATED this 15th

13 day of May, 2017.

14 McNAUL EBEL NAWROT & HELGREN PLLC

15 By: 

16 Robert M. Sulkin, WSBA No. 15425

17 Malaika M. Eaton, WSBA No. 32837

18 600 University Street, Suite 2700

19 Seattle, Washington 98101

20 (206) 467-1816

21 rsulkin@mcnaul.com

22 meaton@mcnaul.com

23 Attorneys for Defendant

24

25

26

1 ANSWERS AND REASONS DATED this _____ day of June, 2017.

2 CONNELLY LAW OFFICES, PLLC

3 By: _____
4 Lincoln C. Beauregard, WSBA No. 32878
5 Julie A. Kays, WSBA No. 30385

6 L.A. LAW & ASSOCIATES, PLLC

7 By: _____
8 Lawand Anderson, WSBA No. 49012

9 Attorneys for Plaintiff Delvonn Heckard

10 **CERTIFICATION**

11 The undersigned attorney for Plaintiff Delvonn Heckard has read the foregoing
12 answers, objections, and responses to Defendant's Second Set of Interrogatories and
13 Requests for Production to Plaintiff, and they are in compliance with CR 26(g).

14 DATED this _____ day of June, 2017.

15 CONNELLY LAW OFFICES, PLLC

16 By: _____
17 Lincoln C. Beauregard, WSBA No. 32878
18 Julie A. Kays, WSBA No. 30385

19 L.A. LAW & ASSOCIATES, PLLC

20 By: _____
21 Lawand Anderson, WSBA No. 49012

22 Attorneys for Plaintiff Delvonn Heckard

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VERIFICATION

STATE OF WASHINGTON)
) ss.
COUNTY OF _____)

DELVONN HECKARD, being duly sworn on oath deposes and says: I am the Plaintiff in the above-captioned matter and am competent to testify to the matters set forth herein. I have read the above and foregoing answers, responses, and objections to Defendant's Second Set of Interrogatories and Requests for Production to Plaintiff, know the contents thereof, and believe the same to be true and accurate.

Delvonn Heckard, Plaintiff

SUBSCRIBED AND SWORN to before me this _____ day of June, 2017,
Delvonn Heckard.

Printed Name _____
NOTARY PUBLIC in and for the State of
Washington, residing at _____
My commission expires _____

1 **DECLARATION OF SERVICE**


2 On May 15, 2017, I caused to be served a true and correct copy of the foregoing
3 document upon counsel of record, at the address stated below, via electronic email
4 service, and United States mail, first class postage prepaid:

5 Lincoln C. Beauregard
6 Julie A. Kays
7 Connelly Law Offices
8 2301 North 30th Street
9 Tacoma, Washington 98403
10 lincolnb@connelly-law.com
11 juliek@connelly-law.com

12 Lawand Anderson
13 L.A. Law & Associates, PLLC
14 22030 -7th Avenue South, Suite 103
15 Des Moines, Washington 98198
16 lawand@lalaw.legal
17 Attorneys for Plaintiff Delvonn Heckard

18 I declare under penalty of perjury under the laws of the United States of America
19 and the State of Washington that the foregoing is true and correct.

20 DATED this 15th day of May, 2017, at Seattle, Washington.

21 
22 Robin M. Lindsey, LEGAL ASSISTANT