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6 Attorneys for Plaintiff

FILED

NOV 8 1968

MARTIN MORGAN, CLERK

[Signature]
Deputy Clerk

7
8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE
9 CITY AND COUNTY OF SAN FRANCISCO

10 JAMES DAVID ROWLAND, JR.,
11 Plaintiff,

NO. 538,773

12 vs.

13 T. HING HONG, WUN HONG, NANCY
14 CHRISTIAN, et al.,

INTERROGATORIES

15 Defendants.

Answers attached

16
17 TO THE DEFENDANTS ABOVE NAMED AND TO THEIR ATTORNEYS OF RECORD:

18 Pursuant to the provisions of the California Code of
19 Civil Procedure, §2030, you are requested to answer in writing
20 and under oath the following interrogatories within 15 days from
21 the time service is made upon you. Please note that in answer-
22 ing these interrogatories you should furnish all information pos-
23 sessed by or available to the defendants, their representatives,
24 investigators, or attorneys.

25 1. State full name, address, occupation and employer
26 of any and all persons who investigated the incident which is
27 the subject of this lawsuit; and set forth in the complaint on
28 file in this matter or any part of it, for or on behalf of the
29 defendants, their attorneys, insurance carriers, etc.

30 2. As to those names set forth in your answer to Inter-
31 rogatory No. 1, please set forth the names, addresses and
32 employers of all persons contacted by said investigators as the

1 result of the circumstances set forth in the complaint on file
2 in this matter, and which is the subject of this lawsuit.

3 3. State all names, addresses and telephone numbers
4 known to you or to anyone acting on your behalf of all persons
5 who saw or heard or claim to have seen or heard any of the events
6 or happenings that occurred immediately before, at the time of,
7 or immediately after the accident referred to in the complaint
8 of plaintiff on file herein.

9 4. Have defendants, their agents, investigators or
10 attorneys contacted or spoken to any of the persons named in the
11 answers to these interrogatories? If so, set forth the name,
12 address and employer of each such person.

13 5. As to all persons whose names are set forth in the
14 answers to these interrogatories, have defendants, their agents,
15 investigators or attorneys, or any employee or agent of defen-
16 dants, obtained statements of any kind, whether written, steno-
17 graphic, court reporter, oral or otherwise from any of the
18 persons so named in these answers to interrogatories.

19 6. If your answer to the preceding interrogatory is in
20 the affirmative, please state:

21 (a) What type of statement was taken from each
22 person.

23 (b) Has this statement been reduced to some per-
24 manent form.

25 (c) Who now has possession of each statement so
26 taken.

27 (d) On what date was each statement taken.

28 (e) Please attach copies of each statement to your
29 answers to these interrogatories.

30 7. Have defendants, their agents, investigators, or
31 attorneys obtained any kind of written, stenographic, court
32 reporter, oral or other type of statement from plaintiff? If

1 so, please state:

2 (a) The date on which the statement was taken.

3 (b) The type of statement.

4 (c) The present custodian of the statement.

5 (d) Please attach copy of such statement to your
6 answers to these interrogatories.

7 8. Do you, your attorneys or investigators have any
8 maps, charts, diagrams of the scene of this accident?

9 9. Do you, your attorneys or investigators have any
10 photographs taken at or of the scene of the accident?

11 10. Do you, your attorneys or investigators, have any
12 photographs taken of any of the ~~xxxxxxx~~ persons involved in
13 this accident.

14 11. If your answer to Interrogatories Nos. 8, 9 and 10
15 are in the affirmative, then as to each question and answer:

16 (a) List separately each map, chart, diagram or
17 photograph known to defendants.

18 (b) State the date on which each map, chart, dia-
19 gram or photograph was made.

20 (c) State the name and address of the person or
21 persons who made each map, chart, or diagram, or took each
22 photograph.

23 (d) Attach copies of each map, chart, diagram or
24 photograph to your answers to these interrogatories, or indicate
25 your willingness to allow plaintiff to inspect and copy or
26 photograph the same.

27 12. Do you have any motion pictures of plaintiff taken
28 at any time following the happening of this accident? If so,
29 state:

30 (a) The date or dates on which each motion picture
31 was taken.

32 (b) The name, address and employer of the person

or persons who took such motion pictures.

(c) The activities in which plaintiff was engaged at the time each motion picture, if any, was taken.

(d) Specify a time and place when these photographs may be viewed by counsel for plaintiff.

13. Have defendants or anyone on their behalf engaged or consulted with any specialized expert in connection with any matter involved in this lawsuit, including the scene of the accident, the xxxxxxxxxx instrumentalities involved in the accident, or any other matter? If so, state:

(a) The name, address and business or profession including the employer of such expert.

(b) His field or specialty.

(c) The subject matter of the consultation with such expert or the subject matter of his investigation and study.

(d) State whether any written reports have been submitted by any such expert to defendants, and the date of each report.

(e) Has any expert conducted any tests or experiments? If so, have the results of such tests or experiments been reduced to writing or other permanent form? If so, describe and identify and state where same is presently located and give the date of each report.

14. Was any damage done to the vehicle driven by the defendant at the time of the accident? If so, state:

(a) Has the vehicle been repaired or any estimates of repair made?

(b) If the vehicle has been repaired, or estimates made, please set forth the name and address of the party making the repairs or estimates.

(c) If the vehicle has not been repaired, nor estimates made on its repairs, who now has possession of the vehicle?

(d) If the vehicle has not been repaired, nor estimates made as to the damage done to it, please set forth an address where the vehicle may be inspected by the attorneys for plaintiff.

(e) Were any photographs taken of the vehicle prior to the time it was repaired?

(f) What is the total amount of the damage?

(g) Please attach copies of the final repair bills, and any estimates made of the damage to the vehicle and any photographs taken of the vehicle prior to the time it was repaired.

(h) If the vehicle has been sold since the date of the accident, please state the name, address of the buyer, the date of purchase and the amount paid for the vehicle.

15. On the date this accident occurred, was there in effect a policy of insurance by or through which defendants were insured in any manner or to any extent, whether primary or excess, with respect to any claim, cause of action, injuries or damages alleged or claimed against the defendant? If so, state:

(a) The number of said policy or policies of insurance.

(b) The name of the company or companies issuing said policies.

(c) The name or names of the insureds.

(d) The limits of liability of each policy.

16. On the date of the accident, was there in effect one or more policies of insurance under which any question or controversy exists as to whether coverage is afforded thereunder to defendants? If so, state:

(a) The policies on which there is question.

(b) The insurance company.

(c) The names of the insureds.

(d) The nature of the controversy.

17. Do defendants claim that the accident in question was in any way caused by a mechanical defect or malfunction in their vehicle? If so, state:

(a) Nature of the defect or malfunction.

(b) How defendants believe it contributed to the accident.

(c) Did defendants have notice or knowledge of this defect before the accident?

(d) Where the area of malfunction or defective part was checked or examined prior to the accident and by whom (include address).

(e) Name and address of the person or persons who inspected, repaired, or otherwise worked on the defect or malfunction after the accident.

(f) Name and address of any other person who has personal knowledge of the defect or malfunction.

(g) If at the time of the accident in question the police investigated the accident, did defendants apprise the police so investigating the accident of the defect they have set forth above?

(h) If your answer to the preceding question is in the negative, please set forth your reasons why the police were not apprised of the defect now claimed by the defendants.

18. Do defendants know of any claim for personal injuries made by plaintiff prior to this suit, whether formal or informal? If so, please furnish full particulars including dates, nature of injuries claimed, and final disposition of the claim.

19. Identify each and every report or statement made by the defendants in this action to anyone regarding the

facts of the accident or events leading up to it. Please include:

- (a) Date.
- (b) Nature of report or statement, whether written, oral, taped or otherwise.
- (c) To whom made.
- (d) Location of any permanent form of each statement.
- (e) Indicate your willingness to allow plaintiff to inspect and copy such statement or report. If claim is made of privilege as to any such statement or report, state basis of claimed privilege.

20. Please give us the full name, last known address and current address for the tenants identified as "Woodrow", identified in the deposition of Mr. Baker.

21. Please indicate how long those tenants had occupied the apartment being occupied by the defendant NANCY CHRISTIAN at the time of this accident. Give us the approximate dates of original occupancy and termination of tenancy.

22. Please indicate, by full name and address, the name of the plumber and the plumbing company which is alleged to have inspected the plumbing facilities in this apartment in which the accident occurred prior to the date of the accident, as referred to in the deposition of Mr. Baker at page 7.

23. Please indicate whether the defendants have in their possession or know of the whereabouts of any records or memoranda indicating:

a. When repairs were made to the apartment in which this accident occurred within a five-year period prior to the date of the accident.

b. By whom those repairs were made.

c. Whether any of the repairs were in the nature of repairs to the bathroom or plumbing facilities.

1 If the answer to this interrogatory or any portion of it
2 is in the affirmative, please indicate in whose possession the
3 originals of said records presently reside, and please attach copies
4 of said records to the answers to interrogatories without the
5 necessity of a formal motion to produce and at plaintiff's expense.

6 24. Please indicate by full name, home address and em-
7 ployer the names of any individuals whom defendants know or believe
8 have any knowledge concerning the personal relationship between the
9 plaintiff JAMES DAVID ROWLAND, JR., and the defendant NANCY CHRISTIAN
10 at any time prior to or subsequent to the accident which is the
11 subject of this action.

12 25. Please give us the full name, last known address and
13 current address for Robert Kohler, identified in the deposition of
14 NANCY CHRISTIAN.

15 DATED: November 4, 1968.

16
17 JACK K. BERMAN, ESQ., and
18 WALKUP, DOWNING, WALLACH & STERNS
Attorneys for Plaintiff

19 By E. Robert Wallach
20 E. ROBERT WALLACH

21 CERTIFICATE OF MAILING (C.C.P. 2015.5)

22 The undersigned, at San Francisco, Calif., certifies to be true, under penalty
23 of perjury, that she is not a party to the within action; business address is
24 650 California Street, San Francisco, California 94111; she executed this cer-
25 tificate and served a true copy of her affidavit by mail by
26 placing same in an envelope, sealing the envelope, placing thereon an
27 affixing postage thereon, and depositing said envelope in U.S. Mail at San Francisco, California on the
28 4th day of Nov., 1968; said envelope
29 was addressed as follows:

25 Bronson, Bronson & McKinnon
26 255 California Street
27 San Francisco, California 94111

28 Healy and Robinson
29 68 Post Street
30 San Francisco, California 94104

31 Gwen Ross
32 Gwen Ross

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