

MEET AND CONFER SAMPLE ON FROGGS

FORM INTERROGATORY, SET ONE

Form Interrogatories don't usually trigger Attorney-Client Privilege. Defendant's attorney-client **privilege Boilerplate objection on all General Form Interrogatories** is unmeritorious as Defendants fail to explain how the **attorney-client or work product privilege** applies, and facially the interrogatories do not seek privileged information. Even if the form interrogatories sought privileged information (they do not), Defendants have not provided a privilege log substantiating those privilege objections. (Code Civ. Proc., § 2031.240(a).) These is not a code-compliant responses.

Defendant must search out such responsive documents per of the Section Code 2031.230 “[a] representation of inability to comply with the particular demand for inspection, copying, testing, or sampling shall affirm that a **diligent search** and a reasonable inquiry has been made in an effort to comply with that demand.”

Objections based on the “**right to privacy**.” There is no danger of a serious invasion against a reasonable expectation of privacy. Discovery orders implicating privacy rights are evaluated under the framework established in *Hill v. National Collegiate Athletic Assn.* (1994) 7 Cal.4th 1: If the three criteria for invasion of privacy interest exists, the privacy interest must be measured against other competing or countervailing interest in a balancing test. Serious invasion of a privacy interest has not been established. "With respect to discovery orders implicating privacy rights of third parties, the trial court is required to consider its ability to make an alternative order which may grant partial disclosure. Furthermore, Privacy objections are not absolute. It is of great importance that Plaintiff be permitted to obtain and gather information in ascertaining the truth to support his claims against LAUSD. Plaintiffs compelling need for such pertinent information clearly outweighs any issues of privacy interests.

Additionally, when answering interrogatories, the responding party has an affirmative duty to provide “complete and straightforward [answers] as the information reasonably available to the responding party permits.” (Code Civ. Proc., § 2030.220(a).) Further, “[i]f an interrogatory cannot be answered completely, it shall be answered to the extent possible.” (Id. at § 2030.220(b).) “Where the question is specific and explicit, an **answer that provides only a portion** of the information sought is **wholly insufficient**. Likewise, a party may not supply deftly worded conclusory answers designed to evade a series of explicit questions.” (*Deyo v. Kilbourne* (1978) 84 Cal.App.3d 771, 783.) Defendant did not provide a response to all of the subparts of interrogatories 4.1, 4.2, 12.2, 12.3, 12.4, 12.5, 12.6, 17.1.

FORM INTERROGATORY NO. 12.2: seeks to identify if Defendants’ or anyone acting on their behalf interviewed any individual concerning the INCIDENT? If so, for each individual state: (a) The name, ADDRESS and telephone number of the individual interviewed; (b) The date of the interview; (c) The name, ADDRESS and telephone number of the PERSON who conducted the interview. Form Interrogatories.

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