

SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF SAN DIEGO  
CENTRAL

MINUTE ORDER

DATE: 08/29/2019

TIME: 04:14:00 PM

DEPT: C-67

JUDICIAL OFFICER PRESIDING: Eddie C Sturgeon

CLERK: Patricia Ashworth

REPORTER/ERM: Not Reported

BAILIFF/COURT ATTENDANT:

CASE NO: **37-2018-00034229-CU-BC-CTL** CASE INIT.DATE: 07/10/2018

CASE TITLE: **Razuki vs Malan [IMAGED]**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Breach of Contract/Warranty

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**APPEARANCES**

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The Court, having taken the above-entitled matter under submission on 08/09/2019 and having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

**FINAL RULING**

Defendant Chris Hakim's for a protective order regarding special interrogatories, form interrogatories, and request for production of documents is granted, in part.

Plaintiff Salam Razuki's motions to compel set for September 13, 2019, are continued to October 4, 2019, at 1:30 p.m. to provide a joint separate statement of those items that remain in dispute. Plaintiff has requested a discovery referee be appointed and the court will reserve on this issue. Sanctions are denied to both parties.

As guidance to Hakim's proposed protective order, the court grants some requests and denies some requests as requested in Hakim's points and authorities, pages 9-10:

(1) The set of special interrogatories numbering 479 need not be answered; **Granted, in part. Rakuki's request for further responses to special interrogatories is limited to a maximum of 175.**

(2) Contrary to the representations made in a declaration submitted under Section 2030.050 the number of specially prepared interrogatories numbering 479 is unwarranted, unreasonable, and/or unnecessary; **Denied.**

(3) Each special interrogatory using the terms "RELATED TO" (defined at Gorla Dec., Exhibit 1, p. 3) or "YOU" or "YOUR" (defined at Gorla Dec., Exhibit 1, p.2) or the term "IDENTIFY" (defined at Gorla Dec., Exhibit 1, pp.3-4) need not be answered, based on attorney client and attorney work product privilege, improper subparts, overbreadth, and burden. (This includes all of the special interrogatories). **Defendant is not required to produce documents related to attorney-client and work product privileges. To the extent the requests are outside of these privileges, a privilege log shall be produced.**

(4) Each special interrogatory containing subparts or that is in the conjunctive or disjunctive need not be answered as being in violation of the Civil Discovery Act. In addition to interrogatories falling under

section 3 above, this also includes each of the following interrogatories: 12, 15, 22, 32, 39, 46, 58, 67, 74, 77, 80, 83, 98, 101, 102, 105, 108, 111, 114, 130, 133, 140, 150, 162, 168, 174, 177, 183, 186, 192, 195, 201, 204, 27, 208, 211, 214, 217, 220, 31, 236 five, 236, 239, 242, 245, 248, 252, 264, 267, 274, 284, 296, 302, 305, 306, 309, 312, 315, 330, 339, 342, 343, 346, 349, 364, 373, 376, 377, 380, 383, 398, 407, 410, 411, 414, and 417. **Denied.**

(5) Each document request using the terms "RELATED TO" (defined at Gorla Dec., Exhibit 2, p. 3) or "YOU" or "YOUR" (defined at Gorla Dec., Exhibit 2, p.2) need not be answered, based on attorney client and attorney work product privileges, overbreadth, burden, and that each of the document requests are not reasonably particularized. (This includes virtually all of the document requests). **Plaintiff should re-word the definitions and limit the scope to the allegations to the FAC and Hakim's cross-complaint.**

(6) Each special interrogatory requesting information about a third party that is equally available to the propounding party need not be answered. This includes the following interrogatories: 40 - 51, 61 - 64, 66 - 72, 83 - 85, 90 - 92, 95 - 96, 102 - 104, 108 - 113, 118 - 120, 123 -129, 145 -146, 156 - 162, 166 - 167, 177 - 185, 195 - 203, 214 - 222, 224 - 230, 236 -238, 243 -247, 251 -254, 257 -263, 290 -296, 301, 312 -317, 321 -341, 349 -351, 355 - 375, 383 - 385, 389 - 409, and 417 -419; **To the extent plaintiff is seeking responses as to third parties or other parties, including FLIP, Monarch, Devilish, CCG, San Diego United, Balboa Dispensary, Synergy and Balboa Avenue, plaintiff shall first attempt to obtain the answers to the interrogatories or documents directly.**

(7) Each form interrogatory using the term "INCIDENT" and each form interrogatory using the word "pleadings" (15.1 and 50.1-50.6) need not be answered, because the definition is incurably confusing and unintelligible, or alternatively, overly broad and harassing. **"Incident" and "pleadings" shall be defined as that referred to in plaintiff's first amended complaint and Hakim's cross-complaint.**

(8) The method of discovery be an oral deposition instead of interrogatories, and in particular, interrogatory numbers 1, 2, 7-9, 11-12, 12, 15-19, 22,26, 29, 32-35, 38, 52-57, 60-66, 117, 121, 134-137, 141-144, 147, 151-153, 163-165, 168-170, 186-191, 251, 254, 268-271, 275- 278, 281-283, 285-287, 298-299; **Denied.**

(9) Special Interrogatory numbers 459 through 479 need not be answered based on overbreadth, burden, and harassment. Each of said interrogatories calls for essentially unlimited facts, documents, and witnesses pertaining to the entire Cross-complaint. **Denied.**

(10) Document request numbers 189-192 and 194-196 need not be answered based on overbreadth, burden, harassment, and that said requests are not reasonably particularized. Each of said requests calls for essentially unlimited documents pertaining to the entire Cross complaint. **Denied.**

(11) That responses to all three sets of discovery be conditioned on the re-serving of the discovery in a reasonable number and with the discovery requests rephrased; **Granted consistent with this order.**

(12) Discovery requests seeking information on SoCal's pleadings need not be answered due to the dismissal of the case by and against SoCal; **Granted.**

(13) That the responses to all three sets of discovery be made only on specified terms and conditions as ordered by the Court. **Granted consistent with this order.**

*Eddie C. Sturgeon*

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Judge Eddie C Sturgeon