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Superior Court of California,  
County of San Diego  
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Clerk of the Superior Court  
By R. Babers ,Deputy Clerk

Attorneys for Defendant City Heights  
Community Development Corporation

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN DIEGO, CENTRAL DIVISION

FATIMA ABDELRAHMAN, an individual;  
NADIA ABDULRAHMAN, an individual;  
NATALINA KANTIEKO, an individual, and;  
IDZAI MUBAIWA, an individual,

Plaintiffs,

v.

CITY HEIGHTS COMMUNITY  
DEVELOPMENT CORPORATION, a  
California Non-Profit Corporation; and DOES 1-  
50, inclusive,

Defendants.

And Related Cross-Actions

Case No.: 37-2024-00027594-CU-OR-CTL  
[Consolidated Case – Subordinate Case is  
37-2024-00010272-CL-MC-CTL]

DECLARATION OF JAMES D. CROSBY IN  
SUPPORT OF MOTION TO COMPEL  
FURTHER RESPONSES FROM PLAINTIFF  
FATIMA ABDELRAHMAN TO  
DEFENDANT'S REQUEST FOR  
PRODUCTION OF DOCUMENTS SET NO.  
ONE, SPECIAL INTERROGATORIES, SET  
NO. ONE, AND FORM INTERROGATORIES  
– GENERAL, SET NO. ONE, AND REQUEST  
FOR SANCTIONS IN THE AMOUNT OF  
\$5,642.50 AGAINST FATIMA  
ABDELRAHMAN

Date: September 12, 2025  
Time: 11:00 a.m.  
Dept.: C-63  
Judge: Hon. Katherine A. Bacal

I, James D. Crosby, declare and state:

1. I am an attorney licensed, and in good standing, to practice before all courts of the State of California and am a counsel of record for defendant City Heights Community Development Corporation in this action.

2. I have personal knowledge of the facts stated in this declaration. If called upon I could, and would, competently and with personal knowledge testify to the facts stated in this declaration.

3. Defendant CHCDC seeks an order compelling plaintiff Fatima Abdelrahman ("Abdelrahman") to provide supplemental responses to Request for Production, Set No. One, Special

1 Interrogatories, Set No. One, and Form Interrogatories – General, Set No. One, with proper and  
2 effective verification thereof, and requests sanctions in the amount of \$5,642.50 against  
3 Abdelrahman.

4 4. On August 13, 2024, CHCDC, through my office, propounded discovery requests on  
5 plaintiffs Fatima Abdelrahman, Nadia Abdulrahman, and Natalina Kantieko (collectively  
6 “Plaintiffs”) consisting of Requests for Production of Documents, Set No. One, Special  
7 Interrogatories, Set No. One, and Form Interrogatories – General, Set No One (“August 13  
8 Discovery”).

9 5. The Requests for Production (“RFP”) and Special Interrogatories (“SROG”) propounded as  
10 part of the August 13 Discovery were withdrawn, pursuant to agreement with plaintiffs’ counsel on  
11 September 12, 2024, with the understanding that they would be redrafted and propounded again  
12 subject to certain conditions.

13 6. Plaintiffs provided responses to the August 13 Form Interrogatories on September 26, 2024.  
14 A true and correct copy of Abdelrahman’s Form Interrogatory Responses are attached to the Notice  
15 of Lodgment as Exhibit 5.

16 7. On December 18, 2024, CHCDC, through my office, propounded the redrafted Request for  
17 Production, Set No. One, and Special Interrogatories, Set No. One, on plaintiffs (“December 18  
18 Discovery”).

19 8. After numerous extensions, plaintiffs provided responses to the December 18 Discovery on  
20 March 14, 2025. A true and correct copy of Abdelrahman’s SROG responses are attached to the  
21 Notice of Lodgment as Exhibit 1. A true and correct copy of Abdelrahman’s RFP responses are  
22 attached to the Notice of Lodgment as Exhibit 3.

23 9. On April 8, 2025 my office sent meet and confer letters regarding plaintiffs’ responses to the  
24 December 18 Discovery to plaintiffs’ counsel.

25 10. On May 1, 2025, plaintiffs’ counsel responded, representing that plaintiffs would provide  
26 supplemental responses by June 10, 2025.

27 11. Plaintiffs’ counsel agreed that CHCDC could have until July 10, 2025, to move to compel, if  
28 necessary.

1 12. Plaintiffs provided supplemental responses to the December 18 Discovery on June 10, 2025.  
2 A true and correct copy of Abdelrahman's Supplemental SROG responses are attached to the Notice  
3 of Lodgment as Exhibit 2. A true and correct copy of Abdelrahman's Supplemental RFP responses  
4 are attached to the Notice of Lodgment as Exhibit 4.

5 13. On June 25, 2025, my office sent meet and confer letters to plaintiffs' counsel regarding  
6 plaintiffs' supplemental responses. Having received no response to the supplemental meet and  
7 confer letters, my office requested until July 15, 2025, to move to compel, if necessary. Plaintiffs'  
8 counsel agreed.

9 14. On July 9, 2025, my office receive a response to our June 25, 2025, meet and confer letters  
10 on Fatima Abdelrahman's supplemental responses from plaintiffs' counsel. This meet and confer  
11 letter indicated that the issues addressed in this motion could not be resolved.

12 15. I have put plaintiffs' counsel on notice of the deficiencies of the utilized verifications as  
13 written on multiple occasions, yet, plaintiffs' counsel continues to utilize said verifications. The  
14 Court has on at least two occasions noted to plaintiffs' counsel the deficiencies in, and the  
15 ramifications of, the utilized verifications.

16 16. Plaintiffs' counsel has stated, in his own declaration, that plaintiffs (including Abdelrahman)  
17 do not read or speak English. A true and correct copy of one of plaintiffs' counsel's declarations, in  
18 which he made this statement, is attached to the Notice of Lodgment as Exhibit 6.

19 17. Defendant CHCDC seeks an award of sanctions in this matter in the amount of \$5,642.50.  
20 The fees sought as sanctions do not represent, and are far less than, the fees actually incurred on the  
21 issue of Fatima Abdelrahman's discovery requests, calculated as follows:

- 22 - Attorney Callender time incurred on meet and confer efforts on plaintiff Abdelrahman's first  
23 and supplemental responses to Request for Production, Set No. One, Special Interrogatories,  
24 Set No. One, and Form Interrogatories – General, Set No. One: 11.07 hours at \$250/hr for  
25 total of \$2,767.50.
- 26 - Attorney Callender time incurred preparing defendant CHCDC's Motion to Compel Further  
27 Responses to Request for Production, Set No. One, Special Interrogatories, Set No. One, and  
28

- 1 Form Interrogatories – General, Set No. One from Plaintiff Fatima Abdelrahman: 4 hours at  
2 \$250/hr for total of \$1,000.
- 3 - Attorney Crosby time incurred reviewing, editing, and finalizing on the Motion to Compel  
4 Further Responses to Request for Production, Set No One, Special Interrogatories, Set No.  
5 One, and Form Interrogatories – General, Set No. One propounded by defendant CHCDC:  
6 1.5 hours at \$550/hr for total of \$825.
  - 7 - Attorney Callender anticipated time to be incurred assessing opposition and preparing reply:  
8 2 hours at \$250/hr for total of \$500; and
  - 9 - Attorney Crosby anticipated time to be incurred preparing and appearing at hearing on the  
10 Motion to Compel Further Responses to Request for Production, Set No. One, Special  
11 Interrogatories, Set No. One, and Form Interrogatories – General, Set No. One propounded  
12 by defendant CHCDC: 1 hours at \$550/hr for total of \$550.00

13 The fees in each of the categories above do not represent, and are far less than, the fees actually  
14 incurred on each category.

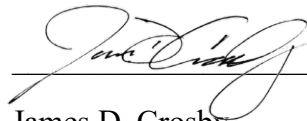
15 18. I am a civil litigator and trial attorney. I have 42 years’ experience litigating and trying cases  
16 in state and federal courts. I have an active civil litigation and trial practice. I represent entities and  
17 individuals, both plaintiffs and defendants, in complex and general business, commercial, contract,  
18 intellectual property, unfair competition, securities, real property, and business tort litigation in state  
19 and federal courts. I have represented clients throughout California as well as in New Your, Nevada,  
20 New Jersey, North Carolina, South Dakota, and Puerto Rico. I have tried numerous jury and non-  
21 jury cases in state and federal courts, represented clients in countless private arbitrations and  
22 mediations, represented pro-bono clients in a variety of civil rights and political asylum cases, and  
23 represented a client in a NAFTA arbitration against Mexico conducted under the UNCITRAL  
24 Arbitration Rules. I am a Master of the Louis M. Welsh Inn of Court, and an Adjunct Professor at  
25 the University of San Diego School of Law teaching trial advocacy. In 2022, I was honored to  
26 receive San Diego County Bar Association’s (SDBCA) “Outstanding Attorney of the Year” award.  
27 This is a “legacy award to recognize prolonged service to the San Diego legal community.” The  
28 award recognizes “[a]n exemplary attorney who, over the course of their career: (1) has

1 demonstrated significant legal expertise; (2) served as a model of civility and professionalism in the  
2 practice of law; and (3) has made an outstanding contribution to the legal profession, the justice  
3 system, or the public.”

4 19. I am aware of the rates charged by attorneys in San Diego County in the broad range of  
5 practice areas described above and have made numerous fee requests based on that knowledge and  
6 my legal experience in such matters. The rate of \$550/hr is on the lower end of the range of hourly  
7 rates charged by attorneys in San Diego with my level of experience.

8 20. Tereza Callender is a second-year lawyer and an associate attorney with the law practice. She  
9 is a graduate of the University of San Diego School of Law and has worked for my practice as a law  
10 clerk and now a lawyer for over three years. The rate of \$250/hr is fairly within the range of hourly  
11 rates charged for attorneys in San Diego with Ms. Callender’s level of experience.

12 I declare under the penalty of perjury under the laws of the State of California that the  
13 foregoing is true and correct and that this declaration was executed this 15 day of July, 2025 at San  
14 Diego, California.

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16  
17   
James D. Crosby