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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; 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  
RESPONSES FROM PLAINTIFF NADIA  
ABDULRAHMAN TO DEFENDANT'S  
SPECIAL INTERROGATORIES, SET NO.  
TWO, AND REQUEST FOR SANCTIONS IN  
THE AMOUNT OF \$4,175.00 AGAINST  
NADIA ABDULRAHMAN AND ATTORNEY  
CARDIFF.

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 Nadia Abdulrahman ("Abdulrahman") to provide responses to Special Interrogatories, Set No. Two, with proper and

1 effective verification thereof, and requests sanctions in the amount of \$4,175 against Abdulrahman  
2 and her counsel.

3 4. On June 13, 2025, defendant CHCDC propounded Special Interrogatories (“SROG”), Set  
4 No. Two, on Abdulrahman. SROG Set No. Two consists of ten interrogatories, requesting the name,  
5 address, and telephone number for the individuals who translated various specifically identified  
6 “verified” pleadings, declarations, and discovery requests. SROG Set No. Two is supported by a  
7 declaration as required by Cal. Civ. Proc. §2030.040(a) and §2030.050 where the number of  
8 specially prepared interrogatories exceeds 35. A true and correct copy of SROG Set. No. Two,  
9 including my declaration thereto, are attached to the Notice of Lodgment as Exhibit 1.

10 5. On June 13, 2025, plaintiffs’ counsel stated that his “clients would not be responding to the  
11 discovery.” A true and correct copy of the email thread in which plaintiff’s counsel’s statement is  
12 included is attached to the Notice of Lodgment as Exhibit 2.

13 6. Meet and confer efforts at this juncture were unsuccessful. On June 18, 2025, plaintiff’s  
14 counsel stated his intention to move for a protective order. A true and correct copy of the thread in  
15 which this email is contained is attached to the Notice of Lodgment as Exhibit 2.

16 7. On July 11, 2025, Abdulrahman responded to CHCDC’s SROGs, Set No. Two, providing  
17 only objections. A true and correct copy of Abdulrahman’s Responses to SROGs, Set No. Two, is  
18 attached to the Notice of Lodgment as Exhibit 3.

19 8. On July 14, 2025, my office sent an email addressing the lack of merit in the lodged  
20 objections. A true and correct copy of the thread containing this email is attached to the Notice of  
21 Lodgment as Exhibit 4. Plaintiff’s counsel disagreed in response.

22 9. On July 16, 2025, I sent a further detailed response, explaining the significance of, and the  
23 ramifications of, this translation issue. A true and correct copy of the thread containing this email is  
24 attached to the Notice of Lodgment as Exhibit 4.

25 10. Plaintiff’s counsel derisively responded, claiming in part that this discovery “is clearly not  
26 about the merits, and instead of about making the discovery process as expensive and oppressive as  
27 possible...” A true and correct copy of the thread in which this email is contained is attached to the  
28 Notice of Lodgment as Exhibit 4.

1 11. There was no resolution of the objections.

2 12. This Court has addressed this translation issue several times in this case, formally in  
3 discovery motions and in a motion to strike, and informally during at least two informal discovery  
4 conferences. The court has made clear that it views this translation issue as an evidentiary matter and  
5 has thereby, in my view, acknowledged the inevitability and necessity of this discovery.

6 13. I have, on numerous occasions and for months, addressed the appropriateness and necessity  
7 of this discovery with plaintiff's counsel without success. I have alerted plaintiff's counsel to the  
8 evidentiary and ethical ramifications of this translation/translator issue multiple times.

9 14. A true and correct copy of Abdulrahman's responses to Special Interrogatories, Set No. One,  
10 utilizing the "I have reviewed the above responses to discovery" "verification" version, is attached to  
11 the Notice of Lodgment as Exhibit 5.

12 15. A true and correct copy of Abdulrahman's responses to defendant's Request for Production,  
13 Set No. One, utilizing the "I have reviewed the above responses to discovery" "verification" version,  
14 is attached to the Notice of Lodgment as Exhibit 6.

15 16. A true and correct copy of Abdulrahman's responses to defendant's Form Interrogatories –  
16 General, Set No. One, utilizing the "I have reviewed the above responses to discovery with the help  
17 of my daughter translating" "verification" version, is attached to the Notice of Lodgment as Exhibit  
18 7.

19 17. Plaintiffs' counsel has stated, in his own declaration, that plaintiff Abdulrahman does not  
20 read or speak English. A true and correct copy of one of plaintiff's counsel's declarations, in which  
21 he made this statement, is attached to the Notice of Lodgment as Exhibit 8.

22 18. Plaintiff's counsel has stated in an email to my office that plaintiff Abdulrahman does not  
23 read in any language. A true and correct copy of said communication is attached to the Notice of  
24 Lodgment as Exhibit 9.

25 19. As of the date of this filing, plaintiffs have not filed a motion for protective order.

26 20. Defendant CHCDC seeks an award of sanctions in this matter in the amount of \$4,175. The  
27 fees sought as sanctions do not represent, and are far less than, the fees actually incurred on the issue  
28 of Nadia Abdulrahman's discovery requests, calculated as follows:

- 1     - Attorney Callender time incurred on meet and confer efforts on defendant's Special  
2       Interrogatories, Set No. Two, and plaintiff Abdulrahman's responses thereto: 2.5 hours at  
3       \$250/hr for total of \$625.
- 4     - Attorney Crosby time incurred on meet and confer efforts on defendant's Special  
5       Interrogatories, Set No. Two, and plaintiff Abdulrahman's responses thereto: 1 hour at  
6       \$550/hr for total of \$550.
- 7     - Attorney Callender time incurred preparing defendant CHCDC's Motion to Compel  
8       Responses to Special Interrogatories, Set No. Two, Plaintiff Nadia Abdulrahman: 4 hours at  
9       \$250/hr for total of \$1,000.
- 10    - Attorney Crosby time incurred reviewing, editing, and finalizing on the Motion to Compel  
11      Responses to Special Interrogatories, Set No. Two, propounded by defendant CHCDC: 1.5  
12      hours at \$550/hr for total of \$825.
- 13    - Attorney Callender anticipated time to be incurred assessing opposition and preparing reply:  
14      2.5 hours at \$250/hr for total of \$625; and
- 15    - Attorney Crosby anticipated time to be incurred preparing and appearing at hearing on the  
16      Motion to Compel Responses to Special Interrogatories, Set No. Two, propounded by  
17      defendant CHCDC: 1 hours at \$550/hr for total of \$550.00

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

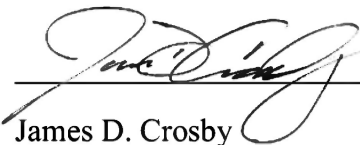
20       21. I am a civil litigator and trial attorney. I have 42 years' experience litigating and trying cases  
21   in state and federal courts. I have an active civil litigation and trial practice. I represent entities and  
22   individuals, both plaintiffs and defendants, in complex and general business, commercial, contract,  
23   intellectual property, unfair competition, securities, real property, and business tort litigation in state  
24   and federal courts. I have represented clients throughout California as well as in New Your, Nevada,  
25   New Jersey, North Carolina, South Dakota, and Puerto Rico. I have tried numerous jury and non-  
26   jury cases in state and federal courts, represented clients in countless private arbitrations and  
27   mediations, represented pro-bono clients in a variety of civil rights and political asylum cases, and  
28   represented a client in a NAFTA arbitration against Mexico conducted under the UNCITRAL

1 Arbitration Rules. I am a Master of the Louis M. Welsh Inn of Court, and an Adjunct Professor at  
2 the University of San Diego School of Law teaching trial advocacy. In 2022, I was honored to  
3 receive San Diego County Bar Association's (SDBCA) "Outstanding Attorney of the Year" award.  
4 This is a "legacy award to recognize prolonged service to the San Diego legal community." The  
5 award recognizes "[a]n exemplary attorney who, over the course of their career: (1) has  
6 demonstrated significant legal expertise; (2) served as a model of civility and professionalism in the  
7 practice of law; and (3) has made an outstanding contribution to the legal profession, the justice  
8 system, or the public."

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

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

17 I declare under the penalty of perjury under the laws of the State of California that the  
18 foregoing is true and correct and that this declaration was executed this 18th day of July, 2025 at San  
19 Diego, California.

20  
21   
22 James D. Crosby