

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
IN AND FOR THE SECOND APPELLATE DISTRICT

Skyler Wells,

Plaintiff-Appellant,

vs.

Cameron Hopkins,

Defendant-Respondent.

} Appellate Case No.: B347182

} Trial Court Case No.: 22STCV05843

Appeal from Superior Court of California, County of Los Angeles,
Case No. 22STCV05843
Honorable Wendy Chang, Judge

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APPELLANT'S APPENDIX VOL. IV

=====

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888-332-2999
State Bar Number 290819
Attorney for Appellant

	causing the Sewer Blackwater Property Loss.”	nothing to do with the issues of this Motion. This MSA pertains to the Cross-Complaint; but this statement has to do with purported damages alleged in the Wells Complaint. Speculation or conjecture: California Evidence Code § 800; CCP § 437c(b)(1). Wells provides no admissible evidence in support of his alleged trash system damages or the causation of said alleged damages.	
38.	Paragraph 58: “I incurred the loss of my trash system on Lot 1 resulting from the Trash System Loss.”	Irrelevant (California Evidence Code § 350): This has nothing to do with the	Sustained_____ Overruled_____ _____ Judge

		issues of this Motion. This MSA pertains to the Cross-Complaint; but this statement has to do with purported damages alleged in the Wells Complaint. Speculation or conjecture: California Evidence Code § 800; CCP § 437c(b)(1). Wells provides no admissible evidence in support of his alleged trash system damages or the causation of said alleged damages.	
39.	Paragraph 59: “I incurred emotional distress due to the Trash System Loss.”	Irrelevant (California Evidence Code § 350); This has nothing to do with the	Sustained_____ Overruled_____ _____Judge

		issues of this Motion. This MSA pertains to the Cross-Complaint; but this statement has to do with purported damages alleged in the Wells Complaint. Speculation or conjecture: California Evidence Code § 800; CCP § 437c(b)(1). Wells provides no admissible evidence in support of his alleged trash system damages or the causation of said alleged damages.	
40.	Paragraph 63: “On June 10, 2022 when the Cross-Complaint was filed, Cameron Hopkins and Jay Dyckman were the "Responsible Owners”.”	Improper Opinion or Legal Conclusion (California Evidence Code § 800; CCP § 437c(b)(1))	Sustained_____ Overruled_____ _____Judge

41.	Paragraph 64: “On August 1, 2022 when the First Amended Cross-Complaint was filed, Cameron Hopkins and Jay Dyckman were the “Responsible Owners”.	Improper Opinion or Legal Conclusion (California Evidence Code § 800; CCP § 437c(b)(1))	
42.	Paragraph 65: “On June 10, 2022 when the Cross-Complaint was filed, Martin Park was the only Owner that was also a party in LASC Case No. BS162671.”	Irrelevant (California Evidence Code § 350) Improper Opinion or Legal Conclusion (California Evidence Code § 800; CCP § 437c(b)(1)) Speculation or conjecture: California Evidence Code § 800; CCP § 437c(b)(1).	Sustained_____ Overruled_____ _____ Judge
43.	Paragraph 67: “LASC Case No. BS162671 Judgment and Confirmation of Arbitration Award	Improper Opinion or Legal Conclusion (California Evidence	Sustained_____ Overruled_____ _____ Judge

	filed on September 30, 2016 (“2016 Judgment”) does not order Cross-Defendant to restore any common areas to their previous condition, instead it orders Owners collectively, or a majority of Owners, or Owners excluding Cross-Defendant, to restore common areas.”	Code § 800; CCP § 437c(b)(1)) Speculation or conjecture: California Evidence Code § 800; CCP § 437c(b)(1).	
44.	Paragraph 68: “Between September 30, 2016 and the present date, Owners collectively, or a majority of Owners, or Owners excluding Cross-Defendant, have not restored common areas, pursuant to the 2016 Judgment.”	Improper Opinion or Legal Conclusion (California Evidence Code § 800; CCP § 437c(b)(1)) Speculation or conjecture: California Evidence Code § 800; CCP § 437c(b)(1).	Sustained_____ Overruled_____ _____Judge

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PROOF OF ELECTRONIC SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years of age, and I am not a party to the within action; my business address is 865 S. Figueroa Street, Suite 1388, Los Angeles, California 90017. On January 9, 2025, I served the following document(s):

**CROSS-COMPLAINANT CAMERON HOPKINS’
EVIDENTIARY OBJECTIONS TO CROSS-DEFENDANT SKYLER WELLS’
DECLARATION AND TO EXHIBITS C AND D IN SUPPORT OF WELLS’ MOTION
FOR SUMMARY ADJUDICATION [CA RULES OF CT., RULE 3.1354]**

X by placing X the original ___ a true copy thereof enclosed in sealed envelope(s) addressed as follows:

James C. Diefenbach
DIEFENBACH LAW GROUP
11835 Carmel Mountain Rd., Ste. 1304-313
San Diego, CA 92128
(Attorney for Plaintiff/X-Def Skyler Wells)

Sevan Gobel
Artin Avetisove
LAGASSE BRANCH BELL + KINKEAD
626 Wilshire Blvd., Suite 1000
Los Angeles, CA 90017
(Attorney for Defendants)

X BY ELECTRONIC DELIVERY TO: james@diefenbachlawgroup.com;
sgobel@lbbklaw.com; aavetisove@lbbklaw.com; lrodriguez@lbbklaw.com

X (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

EXECUTED at Los Angeles, California on January 9, 2025.

/s/ Emma D. Enriquez

Emma D. Enriquez

James C. Diefenbach (SBN 286177)
DIEFENBACH LAW GROUP
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Superior Court of California,
County of Los Angeles
1/22/2025 11:02 AM
David W. Slayton,
Executive Officer/Clerk of Court,
By A. Lopez, Deputy Clerk

Attorney for Cross-Defendant
SKYLER WELLS

SUPERIOR COURT FOR THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES - CENTRAL JUDICIAL DISTRICT

SKYLER WELLS

Plaintiff.

vs.

CAMERON HOPKINS, and JAY DYCKMAN

Defendants.

CAMERON HOPKINS

Cross-Complainant.

vs.

SKYLER WELLS, DAVID SCHIAMBERG,
MARILYN SCHIAMBERG, and ROES 1-20

Cross-Defendants.

) Case No. 22STCV05843

) [Unlimited Civil Action]

) **REPLY TO OPPOSITION TO CROSS-**
) **DEFENDANT SKYLER WELLS MOTION**
) **FOR SUMMARY ADJUDICATION OF**
) **ISSUES; MEMORANDUM OF POINTS**
) **AND AUTHORITIES**

) *[Filed Concurrently with Declaration of James*
) *C. Diefenbach, Declaration of Skyler Wells,*
) *and Evidentiary Objections]*

) **DEPT:** 36

) **JUDGE:** Hon. Wendy Chang

) **DATE:** January 23, 2025

) **TIME:** 8:30 a.m.

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. Cross-Defendant Timeline of Reply**

3 Between January 8, 2025 and January 16, 2025, Cross-Defendant Skyler Wells (“Cross-
4 Defendant”) was unable to communicate with his attorney James Diefenbach regarding the Reply to
5 Opposition to Cross-Defendant Motion for Summary Adjudication of Issues (“Reply to Opposition
6 to MSA”) due to the Hurst Fire. [Declaration of Skyler Wells (“Wells Decl.”) ¶¶ 3-10] [Declaration
7 of James C. Diefenbach (“Diefenbach Decl.”) ¶¶ 6-12] Between January 17, 2025 and January 20,
8 2025, Cross-Defendant was unable to communicate with his attorney James Diefenbach regarding
9 the Reply to Opposition to MSA due to a four-day vacation taken by James Diefenbach between
10 Friday and Monday court holiday. [Diefenbach Decl. ¶ 13] [Wells Decl. ¶ 11] On January 21, 2025,
11 Cross-Defendant communicated with his attorney James Diefenbach for the first time regarding the
12 Reply to Opposition to MSA. [Diefenbach Decl. ¶¶ 14-16] [Wells Decl. ¶¶ 12-14] If not for the
13 Hurst Fire, the Reply to Opposition to MSA would have been filed by the January 17, 2025 due
14 date. For the forgoing reasons, the Reply to Opposition to MSA was filed as soon as possible, and
15 Cross-Defendant respectfully requests that this Court accept and consider the Reply to Opposition
16 to MSA.

17 **A. The Court Has Authority to Consider Late Filed Pleadings in the Interest of**
18 **Justice**

19 In the case of *Bozzi v. Nordstrom, Inc.* (2010) 186 Cal. App. 4th 755, the court noted that a
20 party cannot defeat summary judgment with late-filed papers unless the court permits the late
21 papers in the interests of justice. The trial court has broad discretion under rule 3.1300(d) of the
22 California Rules of Court to refuse to consider papers served and filed beyond the deadline without
23 a prior court order finding good cause for late submission. Similarly, in *Kapitanski v. Von's Grocery*
24 *Co.* (1983) 146 Cal. App. 3d 29, the trial court was found to have abused its discretion by refusing
25 to read and consider a declaration filed one day late, emphasizing the need to consider all relevant
26 factors and the furtherance of justice.

27 **II. Cross-Defendant is Compliant with CRC 3.1350(b)**
28

1 Cross-Defendant stated nine (9) issues specifically in the notice of motion and then repeated,
2 verbatim, the nine (9) issues in the separate statement of undisputed material facts, pursuant to CRC
3 3.1350(b).

4 **III. The Rowena Lofts Community is subject to the Davis-Stirling Act**

5 Davis-Stirling Act at CIV § 4250:

6 “Content of Declaration.

7 (a) A declaration, recorded on or after January 1, 1986, shall contain a legal
8 description of the common interest development, and a statement that the common interest
9 development is a community apartment project, condominium project, planned development, stock
10 cooperative, or combination thereof. The declaration shall additionally set forth the name of the
11 association and the restrictions on the use or enjoyment of any portion of the common interest
12 development that are intended to be enforceable equitable servitudes.”

13 CC&Rs § 10.1 states:

14 “this residential planned development”

15 [Cross-Defendant Compendium of Exhibits at Exhibit 02] or [Cross-Defendant Request for
16 Judicial Notice at Exhibit B]

17 CC&Rs title, referenced on page 2 and 5, states:

18 “DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND
19 RESERVATION OF EASEMENTS FOR ROWENA LOFTS”

20 CC&Rs preamble first sentence states:

21 “THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND
22 RESERVATION OF EASEMENTS FOR ROWENA LOFTS”

23 CC&Rs § 1.1.4 states:

24 “Declaration shall mean and refer to this enabling Declaration of Covenants, Conditions and
25 Restrictions and Reservation of Easements for Rowena Lofts”

26 The CC&Rs sets forth the name of the association as “Rowena Lofts”.
27
28

1 Accordingly, the CC&Rs satisfies the definition of content of declaration, pursuant to the
2 Davis-Stirling Act at CIV § 4250.

3 Davis-Stirling Act at CIV § 4080:

4 "'Association' Defined.

5 'Association' means a nonprofit corporation or unincorporated association created for
6 the purpose of managing a common interest development."

7 Rowena Lofts association is an unincorporated association. Rowena Lofts association
8 satisfies the definition of association, pursuant to the Davis-Stirling Act at CIV § 4080.

9 Rowena Lofts association is not a corporation, and therefore the Davis-Stirling Act at CIV §
10 4280 Content of Articles of Incorporation is not applicable to Rowena Lofts association.

11 Between August 2019 and January 2020, the "Responsible Owners" held an illegal election
12 and voting procedure for the proposed 2019 Amendment to the CC&Rs in violation of the Davis-
13 Stirling Act at CIV §§ 5115(c) and (g), 5105(h)(4), and 5120(b). Accordingly, the 2019
14 Amendment to the CC&Rs (Instrument Number 20191434431) is invalid and unenforceable. The
15 CC&Rs (Instrument Number 20120210654) is the operative document because a valid and
16 enforceable amendment to the CC&Rs does not exist. [UMF No. 62-75, 86, 87]

17 **IV. Continuing-Wrong Accrual Principles**

18 The Continuing-Wrong Accrual Principles does not allow a party to extend a statute of
19 limitations into the past. Cross-Complainant Cameron Hopkins ("Cross-Complainant") has not
20 presented admissible evidence showing "continuation" or "escalation" of any alleged conduct under
21 private nuisance and premises liability causes of action.

22 **V. Conclusion**

23 Cross-Defendant has met his burden for each issue. Cross-Complainant has not met his
24 burden for each issue. For the forgoing reasons, Cross-Defendant respectfully requests that this
25 Court grant the Motion for Summary Adjudication for each issue.

1 DATED: January 22, 2025

Respectfully submitted,

DIEFENBACH LAW GROUP



James C. Diefenbach
Attorney for Cross-Defendant
SKYLER WELLS

Document received by the CA 2nd District Court of Appeal.

James C. Diefenbach (SBN 286177)
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Executive Officer/Clerk of Court,
By A. Lopez, Deputy Clerk

Attorney for Cross-Defendant
SKYLER WELLS

SUPERIOR COURT FOR THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES - CENTRAL JUDICIAL DISTRICT

SKYLER WELLS

Plaintiff.

vs.

CAMERON HOPKINS, and JAY DYCKMAN

Defendants.

CAMERON HOPKINS

Cross-Complainant.

vs.

SKYLER WELLS, DAVID SCHIAMBERG,
MARILYN SCHIAMBERG, and ROES 1-20

Cross-Defendants.

) Case No. 22STCV05843
) [Unlimited Civil Action]

) **DECLARATION OF SKYLER WELLS IN**
) **SUPPORT OF REPLY TO OPPOSITION**
) **TO CROSS-DEFENDANT SKYLER**
) **WELLS MOTION FOR SUMMARY**
) **ADJUDICATION OF ISSUES**

) *[Filed Concurrently with Reply, Declaration of*
) *James C. Diefenbach, and Evidentiary*
) *Objections]*

) **DEPT:** 36
) **JUDGE:** Hon. Wendy Chang
) **DATE:** January 23, 2025
) **TIME:** 8:30 a.m.

DECLARATION OF SKYLER WELLS

I, Skyler Wells, declare as follows:

1. I am the Cross-Defendant.

2. I am making this declaration based on my own personal knowledge.

3. I reside in Porter Ranch, California.

4. On January 7, 2025, a wildfire ignited less than 10 miles from my residence (“Hurst Fire”) as part of the January 2025 Southern California Wildfires.

5. On January 8, 2025, an evacuation order was issued, which included my residence, due to the Hurst Fire.

6. On January 16, 2025, the Hurst Fire was 100% contained.

7. Between January 8, 2025 and January 16, 2025, I experienced power, internet, phone, and mobile phone outages, due to the Hurst Fire.

8. Between January 8, 2025 and January 16, 2025, I experienced displacement, due to the Hurst Fire.

9. Between January 8, 2025 and January 16, 2025, I was unable to communicate with my attorney James Diefenbach, due to the Hurst Fire.

10. Between January 8, 2025 and January 16, 2025, I was unable to communicate with my attorney James Diefenbach regarding the Reply to Opposition to Cross-Defendant Motion for Summary Adjudication of Issues (“Reply to Opposition to MSA”) due by January 16, 2025.

11. Between January 17, 2025 and January 20, 2025, I was unable to communicate with my attorney James Diefenbach regarding the Reply to Opposition to MSA, due to a four-day vacation taken by James Diefenbach between Friday and Monday court holiday.

12. On January 21, 2025, I communicated with my attorney James Diefenbach for the first time regarding the Reply to Opposition to MSA.

13. On January 21, 2025, I asked my attorney James Diefenbach to file the Reply to Opposition to MSA by tomorrow.

14. On January 21, 2025, I asked my attorney James Diefenbach to provide a courtesy copy of the Reply to Opposition to MSA to Department 36 by tomorrow.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 21, 2025 at Porter Ranch, California.

Skyler Wells

Skyler Wells

James C. Diefenbach (SBN 286177)
DIEFENBACH LAW GROUP
11835 Carmel Mountain Road, Ste. 1304-313
San Diego, CA 92128
Phone: (858) 524-4950
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Attorney for Cross-Defendant
SKYLER WELLS

SUPERIOR COURT FOR THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES - CENTRAL JUDICIAL DISTRICT

SKYLER WELLS

Plaintiff.

vs.

CAMERON HOPKINS, and JAY DYCKMAN

Defendants.

CAMERON HOPKINS

Cross-Complainant.

vs.

SKYLER WELLS, DAVID SCHIAMBERG,
MARILYN SCHIAMBERG, and ROES 1-20

Cross-Defendants.

) Case No. 22STCV05843
) [Unlimited Civil Action]

) **DECLARATION OF JAMES C.**
) **DIEFENBACH IN SUPPORT OF REPLY**
) **TO OPPOSITION TO CROSS-**
) **DEFENDANT SKYLER WELLS MOTION**
) **FOR SUMMARY ADJUDICATION OF**
) **ISSUES**

) *[Filed Concurrently with Reply, Declaration of*
) *Skylar Wells, and Evidentiary Objections]*

) **DEPT:** 36
) **JUDGE:** Hon. Wendy Chang
) **DATE:** January 23, 2025
) **TIME:** 8:30 a.m.

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1. I am an attorney at law licensed to practice law in the State of California.
2. I am principal attorney for Diefenbach Law Group.
3. I serve as attorney for Cross-Defendant Skyler Wells (“Cross-Defendant”).
4. I am making this declaration based on my own personal knowledge.
5. I make this declaration in support of the concurrently filed Reply to Opposition to Cross-Defendant Motion for Summary Adjudication of Issues (“Reply to Opposition to MSA”).
6. I am informed and believe, on January 7, 2025, a wildfire ignited less than 10 miles from Cross-Defendant’s residence (“Hurst Fire”) as part of the January 2025 Southern California Wildfires.
7. I am informed and believe, on January 8, 2025, an evacuation order was issued, which included Cross-Defendant’s residence, due to the Hurst Fire.
8. I am informed and believe, on January 16, 2025, the Hurst Fire was 100% contained.
9. I am informed and believe, between January 8, 2025 and January 16, 2025, Cross-Defendant experienced power, internet, phone, and mobile phone outages, due to the Hurst Fire.
10. I am informed and believe, between January 8, 2025 and January 16, 2025, Cross-Defendant experienced displacement, due to the Hurst Fire.
11. Between January 8, 2025 and January 16, 2025, I was unable to communicate with Cross-Defendant, due to the Hurst Fire.
12. Between January 8, 2025 and January 16, 2025, I was unable to communicate with Cross-Defendant regarding the Reply to Opposition to MSA due by January 16, 2025.
13. Between January 17, 2025 and January 20, 2025, I was unable to communicate with Cross-Defendant regarding the Reply to Opposition to MSA, due to a four-day vacation I took between Friday and Monday court holiday.
14. On January 21, 2025, I communicated with Cross-Defendant for the first time regarding the Reply to Opposition to MSA.

00918

Document received by the U.S. District Court of Appeal.

1 15. On January 21, 2025, I was asked by Cross-Defendant to file the Reply to Opposition to
2 MSA by tomorrow.

3 16. On January 21, 2025, I was asked by Cross-Defendant to provide a courtesy copy of the
4 Reply to Opposition to MSA to Department 36 by tomorrow.

5 17. A true and correct copy of Cameron Hopkins Discovery Responses (Set 1 and Set 2) is
6 hereto attached as Exhibit "A".

7 I declare under penalty of perjury that the foregoing is true and correct.

8 Executed on January 21, 2025 at San Diego, California.

9
10 

11 _____
James C. Diefenbach

Exhibit A

00920

Document received by the CA 2nd District Court of Appeal.

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Attorneys for Defendants
Cameron Hopkins and Jay Dyckman

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

SKYLER WELLS,

Plaintiff,

vs.

CAMERON HOPKINS, an individual; and JAY
DYCKMAN, an individual,

Defendants.

CASE NO. 22STCV05843

**DEFENDANT CAMERON HOPKINS'
RESPONSE TO PLAINTIFF AND
CROSS-DEFENDANT SKYLER WELLS'
REQUEST FOR PRODUCTION OF
DOCUMENTS, SET TWO**

Judge: Hon. Wendy Chang
Dept.: 36

Complaint filed: 02/16/2022
First Amended Complaint filed: 03/29/2022
Second Amended Complaint filed: 12/09/2022
Third Amended Complaint filed: 12/26/2023
Fourth Amended Complaint filed: 06/09/2023
Trial date: 3/28/2025

CAMERON HOPKINS, an individual,

Cross-Complainant,

vs.

SKYLER WELLS aka SKYLAR WELLS, an
individual; DAVID SCHIAMBERG, an
individual; MARILYN SCHIAMBERG, an
individual, and ROES 1-20

Cross-Defendants.

PROPOUNDING PARTY: Plaintiff SKYLER WELLS

RESPONDING PARTY: Defendant CAMERON HOPKINS

SET NO.: Two (2)

Defendant CAMERON HOPKINS (Responding Party or Defendant) responds to Plaintiff and Cross-Defendant SKYLER WELLS' Request for Production of Documents, Set Two, as follows:

REQUEST FOR PRODUCTION NO. 25:

All DOCUMENTS EVIDENCING that a CONDOMINIUM PLAN does exist for the ROWENA LOFTS COMMUNITY.

RESPONSE TO REQUEST FOR PRODUCTION NO. 25:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. The document speaks for itself. This request lacks foundation and assumes facts. This request is burdensome as it calls for the production of documents equally availably to Plaintiff. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 26:

All DOCUMENTS EVIDENCING that the LOT 1 PURCHASE AGREEMENT was signed by David Schiamberg and Marilyn Schiamberg.

RESPONSE TO REQUEST FOR PRODUCTION NO. 26:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound.

Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. The document speaks for itself. This request lacks foundation and assumes facts. This request is burdensome as it calls for the production of documents equally available to Plaintiff. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party will comply with this demand.

REQUEST FOR PRODUCTION NO. 27:

All DOCUMENTS EVIDENCING that the LOT 1 OWNERSHIP AGREEMENT does not define the owner of LOT 1 as Skyler Wells.

RESPONSE TO REQUEST FOR PRODUCTION NO. 27:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. The document speaks for itself. This request lacks foundation and assumes facts. This request is burdensome as it calls for the production of documents equally available to Plaintiff. Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR PRODUCTION NO. 28:

All DOCUMENTS EVIDENCING that the LOT 1 OWNERSHIP AGREEMENT does not define those having such interests in LOT 1 merely as security for the performance of an obligation as David Schiamberg and Marilyn Schiamberg.

RESPONSE TO REQUEST FOR PRODUCTION NO. 28:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not

1 reasonably calculated to lead to the discovery of admissible evidence. The document speaks for
2 itself. This request lacks foundation and assumes facts. This request is burdensome as it calls for
3 the production of documents equally available to Plaintiff. Accordingly, Responding Party
4 cannot respond to this request as phrased.

5 **REQUEST FOR PRODUCTION NO. 29:**

6 All DOCUMENTS EVIDENCING that between January 1, 2013 and October 3, 2024,
7 David Schiamberg and Marilyn Schiamberg have occupied or resided in LOT 1.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 29:**

9 Objection. Responding Party objects to this request on the grounds that it seeks
10 information not relevant to the subject matter of this litigation, and is not reasonably calculated
11 to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing
12 objections, Responding Party responds as follows:

13 After a diligent search and reasonable inquiry, Responding Party is unable to comply
14 with this demand as it has no documents in its possession, custody, or control responsive to this
15 request, because responsive documents were never in the possession, custody, or control of
16 Responding Party.

17 **REQUEST FOR PRODUCTION NO. 30:**

18 All DOCUMENTS EVIDENCING that between March 2018 and the present date, YOU
19 have occupied or resided in LOT 4.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 30:**

21 Objection. Responding Party objects to this request on the grounds that it is vague and
22 overbroad as to time and scope, seeks information not relevant to the subject matter of this
23 litigation, and is not reasonably calculated to lead to the discovery of admissible evidence.
24 Accordingly, Responding Party cannot respond to this request as phrased.

25 **REQUEST FOR PRODUCTION NO. 31:**

26 All DOCUMENTS EVIDENCING that the CC&Rs ENFORCEABILITY does permit
27 the DECLARATION and CC&Rs to be enforceable against David Schiamberg and Marilyn
28 Schiamberg.

RESPONSE TO REQUEST FOR PRODUCTION NO. 31:

This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request lacks foundation and assumes facts. This request seeks information protected by the attorney-client privilege, the attorney work-product doctrine and prepared in anticipation of litigation. This request calls for legal conclusion(s). Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR PRODUCTION NO. 32:

All DOCUMENTS EVIDENCING that a former record owner of a lot in the ROWENA LOFTS COMMUNITY is an OWNER.

RESPONSE TO REQUEST FOR PRODUCTION NO. 32:

This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request lacks foundation and assumes facts. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague as to time. This request violates the privacy of individuals who are not parties to this action. Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR PRODUCTION NO. 33:

All DOCUMENTS EVIDENCING that the ASSOCIATION does not exist at the ROWENA LOFTS COMMUNITY.

RESPONSE TO REQUEST FOR PRODUCTION NO. 33:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for a legal conclusion. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR PRODUCTION NO. 34:

All DOCUMENTS EVIDENCING that each OWNER is not a member in the ASSOCIATION.

RESPONSE TO REQUEST FOR PRODUCTION NO. 34:

Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for a legal conclusion. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR PRODUCTION NO. 35:

All DOCUMENTS EVIDENCING that LEGAL EXPENSES RECOVERY is permitted for the Cross-Complaint and FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 35:

This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request calls for information protected by the attorney-client privilege and/or the work product doctrine. This request calls for a legal conclusion(s). Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party will comply with this demand.

REQUEST FOR PRODUCTION NO. 36:

All DOCUMENTS EVIDENCING the MASTER/BLANKET INSURANCE POLICY.

RESPONSE TO REQUEST FOR PRODUCTION NO. 36:

Objection. This Request seeks the production of documents that are irrelevant and not reasonably calculated to lead to the discovery of admissible evidence at the time of trial. This request impermissibly seeks the production of documents which contain proprietary information without good cause. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party will comply with this demand.

REQUEST FOR PRODUCTION NO. 37:

All DOCUMENTS EVIDENCING that the RESPONSIBLE OWNERS do not consist of two (2) OWNER.

RESPONSE TO REQUEST FOR PRODUCTION NO. 37:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents never existed.

REQUEST FOR PRODUCTION NO. 38:

All DOCUMENTS EVIDENCING that the RESPONSIBLE OWNERS do consist of one (1) OWNER only.

RESPONSE TO REQUEST FOR PRODUCTION NO. 38:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 39:

All DOCUMENTS EVIDENCING that the ROWENA LOFTS COMMUNITY is not a Planned Unit Development (PUD).

RESPONSE TO REQUEST FOR PRODUCTION NO. 39:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for a legal conclusion. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party will comply with this demand.

REQUEST FOR PRODUCTION NO. 40:

All DOCUMENTS EVIDENCING that the ROWENA LOFTS COMMUNITY is not subject to the DAVIS-STIRLING ACT.

RESPONSE TO REQUEST FOR PRODUCTION NO. 40:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for a legal conclusion. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. bject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party will comply with this demand.

REQUEST FOR PRODUCTION NO. 41:

All DOCUMENTS EVIDENCING that on and after February 16, 2018, YOU did comply with the NOTICE TO THE OWNER, sent by registered mail, return receipt requested, to Skyler Wells.

RESPONSE TO REQUEST FOR PRODUCTION NO. 41:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for a legal conclusion. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR PRODUCTION NO. 42:

All DOCUMENTS EVIDENCING that on or before June 10, 2022, YOU did comply with the PREREQUISITE TO ENFORCE THE CC&Rs, prior to filing the CROSS-COMPLAINT

RESPONSE TO REQUEST FOR PRODUCTION NO. 42:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for a legal conclusion. This request calls for information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party will comply with this demand.

REQUEST FOR PRODUCTION NO. 43:

All DOCUMENTS EVIDENCING that on or before August 1, 2022, YOU did comply with the PREREQUISITE TO ENFORCE THE CC&Rs, prior to filing the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 43:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for a legal conclusion. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party will comply with this demand.

REQUEST FOR PRODUCTION NO. 44:

All DOCUMENTS EVIDENCING that on and after February 16, 2018, YOU did send written correspondence, with copies of all invoices and/or proposals, regarding LEVY ASSESSMENTS, to Skyler Wells.

RESPONSE TO REQUEST FOR PRODUCTION NO. 44:

Objection. This request is improper because is not full and complete in and of itself, in

contravention of *Code of Civil Procedure* § 2031.030(c)(1). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for a legal conclusion. This request lacks foundation. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents never existed.

REQUEST FOR PRODUCTION NO. 45:

All DOCUMENTS EVIDENCING that between January 2013 and October 16, 2019, YOU purchased and planted all Euphorbia cacti on LOT 1.

RESPONSE TO REQUEST FOR PRODUCTION NO. 45:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents never existed.

REQUEST FOR PRODUCTION NO. 46:

All DOCUMENTS EVIDENCING that the CACTUS PROPERTY LOSS EMAIL was sent to any OWNER, other than YOU.

RESPONSE TO REQUEST FOR PRODUCTION NO. 46:

Objection. This request is improper because is not full and complete in and of itself, in

1 contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound.

2 Responding Party objects to this request on the grounds that it is vague and overbroad as to time
3 and scope, seeks information not relevant to the subject matter of this litigation, and is not
4 reasonably calculated to lead to the discovery of admissible evidence. Subject to and without
5 waiving the foregoing objections, Responding Party responds as follows:

6 After a diligent search and reasonable inquiry, Responding Party is unable to comply
7 with this demand as it has no documents in its possession, custody, or control responsive to this
8 request, because responsive documents were never in the possession, custody, or control of
9 Responding Party.

10 **REQUEST FOR PRODUCTION NO. 47:**

11 All PHOTOS and VIDEOS EVIDENCING, on and after February 16, 2018, Skyler
12 Wells PICTURED IN THE ACT of interfering with YOUR inspection, preservation, operation,
13 maintenance, management, repair, replacement, and improvement of the EASEMENT
14 MAINTENANCE AREAS.

15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 47:**

16 Objection. This request is improper because is not full and complete in and of itself, in
17 contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound.
18 Responding Party objects to this request on the grounds that it is vague and overbroad as to time
19 and scope, seeks information not relevant to the subject matter of this litigation, and is not
20 reasonably calculated to lead to the discovery of admissible evidence. This request is vague and
21 ambiguous as to the term “inspection, preservation, operation, maintenance, management, repair,
22 replacement, and improvement.” Subject to and without waiving the foregoing objections,
23 Responding Party responds as follows:

24 After a diligent search and reasonable inquiry, Responding Party is unable to comply
25 with this demand as it has no documents in its possession, custody, or control responsive to this
26 request, because responsive documents were never in the possession, custody, or control of
27 Responding Party.

28 ///

REQUEST FOR PRODUCTION NO. 48:

All DOCUMENTS EVIDENCING that on and after February 16, 2018, YOU did preserve, operate, maintain, manage, repair, replace, and improve the EASEMENT MAINTENANCE AREAS.

RESPONSE TO REQUEST FOR PRODUCTION NO. 48:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague and ambiguous as to the term “inspection, preservation, operation, maintenance, management, repair, replacement, and improvement.” Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party. Upon information and belief, documents responsive to this request (if any) may be in the possession of Allstate HOA Management, 11030 Santa Monica Blvd suite 100, Los Angeles, CA 90025.

REQUEST FOR PRODUCTION NO. 49:

All DOCUMENTS EVIDENCING that on and after February 16, 2018, YOU did comply with the RESERVE STUDY REQUIRED.

RESPONSE TO REQUEST FOR PRODUCTION NO. 49:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for legal

conclusion(s). This request lacks foundation and assumes facts. This request seeks information protected by the attorney-client privilege, the attorney work-product doctrine and prepared in anticipation of litigation. This request is vague and ambiguous as to the term “RESERVE STUDY REQUIRED.” Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR PRODUCTION NO. 50:

All DOCUMENTS EVIDENCING that on and after February 16, 2018, YOU did comply with the DUTY TO LEVY ASSESSMENTS.

RESPONSE TO REQUEST FOR PRODUCTION NO. 50:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for legal conclusion(s). This request lacks foundation and assumes facts. This request seeks information protected by the attorney-client privilege, the attorney work-product doctrine and prepared in anticipation of litigation. Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR PRODUCTION NO. 51:

All DOCUMENTS EVIDENCING that on and after February 16, 2018, YOU did comply with the HOA AND OWNER MAINTENANCE RESPONSIBILITIES.

RESPONSE TO REQUEST FOR PRODUCTION NO. 51:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for legal conclusion(s). This request lacks foundation and assumes facts. This request seeks information

protected by the attorney-client privilege, the attorney work-product doctrine and prepared in anticipation of litigation. Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR PRODUCTION NO. 52:

All PHOTOS and VIDEOS EVIDENCING, between March 2018 and December 16, 2020, Skyler Wells PICTURED IN THE ACT of interfering with YOUR inspection, preservation, operation, maintenance, management, repair, replacement, and improvement of the SEWER LINES EASEMENT, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 52:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague and ambiguous as to the term “inspection, preservation, operation, maintenance, management, repair, replacement, and improvement.” Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 53:

All PHOTOS and VIDEOS EVIDENCING, between March 2018 and the present date, Skyler Wells PICTURED IN THE ACT of interfering with YOUR inspection, preservation, operation, maintenance, management, repair, replacement, and improvement of the SEWER LINES EASEMENT, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 53:

Objection. This request is improper because is not full and complete in and of itself, in

1 contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound.

2 Responding Party objects to this request on the grounds that it is vague and overbroad as to time
3 and scope, seeks information not relevant to the subject matter of this litigation, and is not
4 reasonably calculated to lead to the discovery of admissible evidence. This request is vague and
5 ambiguous as to the term “inspection, preservation, operation, maintenance, management, repair,
6 replacement, and improvement.” Subject to and without waiving the foregoing objections,

7 Responding Party responds as follows:

8 After a diligent search and reasonable inquiry, Responding Party is unable to comply
9 with this demand as it has no documents in its possession, custody, or control responsive to this
10 request, because responsive documents were never in the possession, custody, or control of
11 Responding Party.

12 **REQUEST FOR PRODUCTION NO. 54:**

13 All DOCUMENTS EVIDENCING that between March 2018 and December 16, 2020,
14 YOU did inspect, preserve, operate, maintain, manage, repair, replace, and improve the SEWER
15 LINES EASEMENT on LOT 1.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 54:**

17 Objection. This request is improper because is not full and complete in and of itself, in
18 contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound.
19 Responding Party objects to this request on the grounds that it is vague and overbroad as to time
20 and scope, seeks information not relevant to the subject matter of this litigation, and is not
21 reasonably calculated to lead to the discovery of admissible evidence. This request is vague and
22 ambiguous as to the term “inspect, preserve, operate, maintain, manage, repair, replace, and
23 improve.” Subject to and without waiving the foregoing objections, Responding Party responds
24 as follows:

25 After a diligent search and reasonable inquiry, Responding Party is unable to comply
26 with this demand as it has no documents in its possession, custody, or control responsive to this
27 request, because responsive documents were never in the possession, custody, or control of
28 Responding Party. Upon information and belief, documents responsive to this request (if any)

1 may be in the possession of Allstate HOA Management, 11030 Santa Monica Blvd suite 100, Los
2 Angeles, CA 90025.

3 **REQUEST FOR PRODUCTION NO. 55:**

4 All DOCUMENTS EVIDENCING that between March 2018 and December 16, 2020,
5 YOU did inspect with a camera, snake, waterjet, and repair the SEWER LINES EASEMENT on
6 LOT 1.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 55:**

8 Objection. This request is improper because is not full and complete in and of itself, in
9 contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound.
10 Responding Party objects to this request on the grounds that it is vague and overbroad as to time
11 and scope, seeks information not relevant to the subject matter of this litigation, and is not
12 reasonably calculated to lead to the discovery of admissible evidence. This request is vague and
13 ambiguous as to the term “snake, waterjet, and repair.” Subject to and without waiving the
14 foregoing objections, Responding Party responds as follows:

15 After a diligent search and reasonable inquiry, Responding Party is unable to comply
16 with this demand as it has no documents in its possession, custody, or control responsive to this
17 request, because responsive documents were never in the possession, custody, or control of
18 Responding Party. Upon information and belief, documents responsive to this request (if any)
19 may be in the possession of Allstate HOA Management, 11030 Santa Monica Blvd suite 100, Los
20 Angeles, CA 90025.

21 **REQUEST FOR PRODUCTION NO. 56:**

22 All DOCUMENTS EVIDENCING that between March 2018 and December 16, 2020,
23 YOU did not defer inspection and maintenance of the SEWER LINES EASEMENT on LOT 1.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 56:**

25 Objection. This request is improper because is not full and complete in and of itself, in
26 contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound.
27 Responding Party objects to this request on the grounds that it is vague and overbroad as to time
28 and scope, seeks information not relevant to the subject matter of this litigation, and is not

1 reasonably calculated to lead to the discovery of admissible evidence. This request is vague and
2 ambiguous as to the term “defer inspection and maintenance.” Subject to and without waiving
3 the foregoing objections, Responding Party responds as follows:

4 After a diligent search and reasonable inquiry, Responding Party is unable to comply
5 with this demand as it has no documents in its possession, custody, or control responsive to this
6 request, because responsive documents were never in the possession, custody, or control of
7 Responding Party. Upon information and belief, documents responsive to this request (if any)
8 may be in the possession of Allstate HOA Management, 11030 Santa Monica Blvd suite 100, Los
9 Angeles, CA 90025.

10 **REQUEST FOR PRODUCTION NO. 57:**

11 All DOCUMENTS EVIDENCING that on or after December 17, 2020, YOU did
12 waterjet the SEWER LINES EASEMENT on LOT 1.

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 57:**

14 Objection. This request is improper because is not full and complete in and of itself, in
15 contravention of *Code of Civil Procedure* § 2031.030(c)(1). Responding Party objects to this
16 request on the grounds that it is vague and overbroad as to time and scope, seeks information not
17 relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the
18 discovery of admissible evidence. Subject to and without waiving the foregoing objections,
19 Responding Party responds as follows:

20 Responding Party will comply with this demand.

21 **REQUEST FOR PRODUCTION NO. 58:**

22 All DOCUMENTS EVIDENCING that on or after December 17, 2020, YOU did repair
23 the SEWER LINES EASEMENT on LOT 1.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 58:**

25 Objection. This request is improper because is not full and complete in and of itself, in
26 contravention of *Code of Civil Procedure* § 2031.030(c)(1). Responding Party objects to this
27 request on the grounds that it is vague and overbroad as to time and scope, seeks information not
28 relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the

discovery of admissible evidence. Subject to and without waiving the foregoing objections,

Responding Party responds as follows:

Responding Party will comply with this demand.

REQUEST FOR PRODUCTION NO. 59:

All DOCUMENTS EVIDENCING that between December 17, 2020 and December 30, 2020, YOU did clean up feces, urine, and used toilet paper on the EASEMENT MAINTENANCE AREAS on LOT 1 resulting from the SEWER BLACKWATER PROPERTY LOSS.

RESPONSE TO REQUEST FOR PRODUCTION NO. 59:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This lacks foundation and assumes facts not in evidence. This request is compound. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 60:

All DOCUMENTS EVIDENCING that the SEWAGE DEBRIS INCIDENT was not intentional.

RESPONSE TO REQUEST FOR PRODUCTION NO. 60:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This lacks foundation and assumes facts not in evidence. This request is compound. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this

request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 61:

All DOCUMENTS EVIDENCING that on or after December 17, 2020, YOU did request access to inspect the interior of the home on LOT 1 due to the SEWER BLACKWATER PROPERTY LOSS.

RESPONSE TO REQUEST FOR PRODUCTION NO. 61:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This lacks foundation and assumes facts not in evidence. This request is compound. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 62:

All DOCUMENTS EVIDENCING that the SEWER BLACKWATER PROPERTY LOSS EMAILS were sent to any OWNER, other than YOU.

RESPONSE TO REQUEST FOR PRODUCTION NO. 62:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This lacks foundation and assumes facts not in evidence. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

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REQUEST FOR PRODUCTION NO. 63:

All PHOTOS and VIDEOS EVIDENCING Skyler Wells PICTURED IN THE ACT of the TRASH INCIDENT.

RESPONSE TO REQUEST FOR PRODUCTION NO. 63:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “TRASH INCIDENT.” This request lacks foundation. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 64:

All PHOTOS and VIDEOS EVIDENCING that during the TRASH INCIDENT, trash did not only include 1) non-noxious sealed white trash bags, 2) flattened or empty cardboard boxes, and 3) packing materials such as packing paper.

RESPONSE TO REQUEST FOR PRODUCTION NO. 64:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “TRASH INCIDENT.” This request lacks foundation. This request is compound. This request calls for expert opinion(s). Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 65:

All PHOTOS and VIDEOS EVIDENCING that the TRASH INCIDENT duration was for

more than three (3) hours total on a walkway easement on LOT 1.

RESPONSE TO REQUEST FOR PRODUCTION NO. 65:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “TRASH INCIDENT.” This request lacks foundation. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 66:

All PHOTOS and VIDEOS EVIDENCING that the TRASH INCIDENT duration was for more than fifteen (15) minutes total on a driveway easement on LOT 6.

RESPONSE TO REQUEST FOR PRODUCTION NO. 66:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “TRASH INCIDENT.” This request lacks foundation. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party will comply with this demand.

REQUEST FOR PRODUCTION NO. 67:

All PHOTOS and VIDEOS EVIDENCING that during the TRASH INCIDENT, there was not always a clear route, by path or stairs, to walk through the walkway easement on LOT

RESPONSE TO REQUEST FOR PRODUCTION NO. 67:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “TRASH INCIDENT.” This request lacks foundation. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party will comply with this demand.

REQUEST FOR PRODUCTION NO. 68:

All PHOTOS and VIDEOS EVIDENCING that during the TRASH INCIDENT, there was not always a clear route to walk through the driveway easement on LOT 6.

RESPONSE TO REQUEST FOR PRODUCTION NO. 68:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “TRASH INCIDENT.” This request lacks foundation. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party will comply with this demand.

REQUEST FOR PRODUCTION NO. 69:

All PHOTOS and VIDEOS EVIDENCING, on and after February 16, 2018, Skyler Wells PICTURED IN THE ACT of interfering with YOUR inspection, preservation, operation, maintenance, management, repair, and replacement of the TRASH ROOM EASEMENT, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 69:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague and ambiguous as to the term “inspection, preservation, operation, maintenance, management, repair, replacement, and improvement.” Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

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REQUEST FOR PRODUCTION NO. 70:

All PHOTOS and VIDEOS EVIDENCING, on and after February 16, 2018, Skyler Wells PICTURED IN THE ACT of not properly placing non-noxious sealed white trash bags and flattened cardboard boxes inside the TRASH ROOM EASEMENT, excluding the TRASH INCIDENT, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 70:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “TRASH INCIDENT.” This request lacks foundation. This request is compound. This request calls for expert opinion(s). Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 71:

All DOCUMENTS EVIDENCING that on and after December 17, 2020, LOT 1 is not toxic due the SEWER BLACKWATER PROPERTY LOSS.

RESPONSE TO REQUEST FOR PRODUCTION NO. 71:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “SEWER BLACKWATER PROPERTY LOSS.” This request lacks foundation. This request calls for speculation. This request calls for expert opinion(s). Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 72:

All DOCUMENTS EVIDENCING that on and after December 17, 2020, the home on LOT 1 is not toxic due the SEWER BLACKWATER PROPERTY LOSS.

RESPONSE TO REQUEST FOR PRODUCTION NO. 72:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “SEWER BLACKWATER PROPERTY LOSS.” This request lacks foundation. This request calls for speculation. This request calls for expert opinion(s). Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 73:

All DOCUMENTS EVIDENCING that on and after December 17, 2020, YOU did compensate Skyler Wells for the cost to remediate & repair LOT 1 due the SEWER BLACKWATER PROPERTY LOSS.

RESPONSE TO REQUEST FOR PRODUCTION NO. 73:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “SEWER BLACKWATER PROPERTY LOSS.” Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 74:

All DOCUMENTS EVIDENCING that on and after December 17, 2020, Skyler Wells

1 did remediate & repair LOT 1 due the SEWER BLACKWATER PROPERTY LOSS.

2 **RESPONSE TO REQUEST FOR PRODUCTION NO. 74:**

3 Objection. This request is improper because is not full and complete in and of itself, in
4 contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous
5 as to the term “SEWER BLACKWATER PROPERTY LOSS.” The request calls for the
6 production of documents equally or more readily available to Plaintiff. Subject to and without
7 waiving the foregoing objections, Responding Party responds as follows:

8 After a diligent search and reasonable inquiry, Responding Party is unable to comply
9 with this demand as it has no documents in its possession, custody, or control responsive to this
10 request, because responsive documents were never in the possession, custody, or control of
11 Responding Party.

12 **REQUEST FOR PRODUCTION NO. 75:**

13 All DOCUMENTS EVIDENCING that between January 1, 2013 and January 1, 2021,
14 Skyler Wells did not timely pay all mortgage loan payments for LOT 1.

15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 75:**

16 Objection. This request is improper because is not full and complete in and of itself, in
17 contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound.
18 Responding Party objects to this request on the grounds that it is vague and overbroad as to time
19 and scope, seeks information not relevant to the subject matter of this litigation, and is not
20 reasonably calculated to lead to the discovery of admissible evidence. This request calls for the
21 production of documents equally or more easily available to Plaintiff. Subject to and without
22 waiving the foregoing objections, Responding Party responds as follows:

23 After a diligent search and reasonable inquiry, Responding Party is unable to comply
24 with this demand as it has no documents in its possession, custody, or control responsive to this
25 request, because responsive documents were never in the possession, custody, or control of
26 Responding Party.

27 **REQUEST FOR PRODUCTION NO. 76:**

28 All DOCUMENTS EVIDENCING that between February 1, 2021 and October 1, 2024,

Skyler Wells did not default on all mortgage loan payments for LOT 1 due the SEWER BLACKWATER PROPERTY LOSS.

RESPONSE TO REQUEST FOR PRODUCTION NO. 76:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for the production of documents equally or more easily available to Plaintiff. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 77:

All DOCUMENTS EVIDENCING that LOT 1 was not noticed for foreclosure in February 2024.

RESPONSE TO REQUEST FOR PRODUCTION NO. 77:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for the production of documents equally or more easily available to Plaintiff. Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR PRODUCTION NO. 78:

All DOCUMENTS EVIDENCING that LOT 1 was not sold at foreclosure public auction on October 3, 2024.

RESPONSE TO REQUEST FOR PRODUCTION NO. 78:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for the production of documents equally or more easily available to Plaintiff. Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR PRODUCTION NO. 79:

All DOCUMENTS EVIDENCING that Skyler Wells did not receive \$0 from the sale of LOT 1 at foreclosure public auction on October 3, 2024.

RESPONSE TO REQUEST FOR PRODUCTION NO. 79:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for the production of documents equally or more easily available to Plaintiff. Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR PRODUCTION NO. 80:

All DOCUMENTS EVIDENCING that Skyler Wells did not lose 100% of his investment in LOT 1 between 2012 and 2024 due to the FORECLOSURE PROPERTY LOSS.

RESPONSE TO REQUEST FOR PRODUCTION NO. 80:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for the

1 production of documents equally or more easily available to Plaintiff. Subject to and without
2 waiving the foregoing objections, Responding Party responds as follows:

3 After a diligent search and reasonable inquiry, Responding Party is unable to comply
4 with this demand as it has no documents in its possession, custody, or control responsive to this
5 request, because responsive documents were never in the possession, custody, or control of
6 Responding Party.

7 **REQUEST FOR PRODUCTION NO. 81:**

8 All DOCUMENTS EVIDENCING that the FORECLOSURE PROPERTY LOSS was
9 not caused by the SEWER BLACKWATER PROPERTY LOSS.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 81:**

11 Objection. This request is improper because is not full and complete in and of itself, in
12 contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound.
13 Responding Party objects to this request on the grounds that it is vague and overbroad as to time
14 and scope, seeks information not relevant to the subject matter of this litigation, and is not
15 reasonably calculated to lead to the discovery of admissible evidence. This request calls for the
16 production of documents equally or more easily available to Plaintiff. Subject to and without
17 waiving the foregoing objections, Responding Party responds as follows:

18 After a diligent search and reasonable inquiry, Responding Party is unable to comply
19 with this demand as it has no documents in its possession, custody, or control responsive to this
20 request, because responsive documents were never in the possession, custody, or control of
21 Responding Party.

22 **REQUEST FOR PRODUCTION NO. 82:**

23 All DOCUMENTS EVIDENCING that on June 10, 2022 when the CROSS-
24 COMPLAINT was filed, Martin Park was not the only OWNER that was also a party in LASC
25 Case No. BS162671.

26 **RESPONSE TO REQUEST FOR PRODUCTION NO. 82:**

27 Objection. This request is improper because is not full and complete in and of itself, in
28 contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound.

Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for the production of documents equally or more easily available to Plaintiff. Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR PRODUCTION NO. 83:

All DOCUMENTS, including specific page numbers, paragraph numbers, line numbers, and quotations, EVIDENCING that the 2016 JUDGMENT does order Skyler Wells only to restore common areas to their previous condition.

RESPONSE TO REQUEST FOR PRODUCTION NO. 83:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for the production of documents equally or more easily available to Plaintiff. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party will comply with this demand.

REQUEST FOR PRODUCTION NO. 84:

All DOCUMENTS EVIDENCING that between September 30, 2016 and the present date, Owners collectively, or a majority of Owners, or Owners excluding Skyler Wells, have restored common areas pursuant to the 2016 JUDGMENT.

RESPONSE TO REQUEST FOR PRODUCTION NO. 84:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague and

1 ambiguous as to the term “restored common areas.” Subject to and without waiving the
2 foregoing objections, Responding Party responds as follows:

3 After a diligent search and reasonable inquiry, Responding Party is unable to comply
4 with this demand as it has no documents in its possession, custody, or control responsive to this
5 request, because responsive documents were never in the possession, custody, or control of
6 Responding Party. Upon information and belief, documents responsive to this request (if any)
7 may be in the possession of Allstate HOA Management, 11030 Santa Monica Blvd suite 100, Los
8 Angeles, CA 90025.

9 **REQUEST FOR PRODUCTION NO. 85:**

10 All DOCUMENTS EVIDENCING that the VARIOUS TOPICS LETTER was hand-
11 delivered to YOU.

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 85:**

13 Objection. This request is improper because is not full and complete in and of itself, in
14 contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound.
15 Responding Party objects to this request on the grounds that it is vague and overbroad as to time
16 and scope, seeks information not relevant to the subject matter of this litigation, and is not
17 reasonably calculated to lead to the discovery of admissible evidence. This request is vague and
18 ambiguous as to the term “VARIOUS TOPICS LETTER.” Subject to and without waiving the
19 foregoing objections, Responding Party responds as follows:

20 After a diligent search and reasonable inquiry, Responding Party is unable to comply
21 with this demand as it has no documents in its possession, custody, or control responsive to this
22 request, because responsive documents were never in the possession, custody, or control of
23 Responding Party.

24 **REQUEST FOR PRODUCTION NO. 86:**

25 All DOCUMENTS EVIDENCING that the VARIOUS TOPICS LETTER was hand-
26 delivered to any OWNER, other than Martin Park.

27 **RESPONSE TO REQUEST FOR PRODUCTION NO. 86:**

28 Objection. This request is improper because is not full and complete in and of itself, in

1 contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound.

2 Responding Party objects to this request on the grounds that it is vague and overbroad as to time
3 and scope, seeks information not relevant to the subject matter of this litigation, and is not
4 reasonably calculated to lead to the discovery of admissible evidence. This request is vague and
5 ambiguous as to the term “VARIOUS TOPICS LETTER.” Subject to and without waiving the
6 foregoing objections, Responding Party responds as follows:

7 After a diligent search and reasonable inquiry, Responding Party is unable to comply
8 with this demand as it has no documents in its possession, custody, or control responsive to this
9 request, because responsive documents were never in the possession, custody, or control of
10 Responding Party.

11 **REQUEST FOR PRODUCTION NO. 87:**

12 All DOCUMENTS EVIDENCING that the VARIOUS TOPICS LETTER is not time-
13 barred for all causes of action in all pleadings.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 87:**

15 Objection. This request is improper because is not full and complete in and of itself, in
16 contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous
17 as to the term “VARIOUS TOPICS LETTER.” This request calls for information protected by
18 the attorney-client privilege and/or the work product doctrine. This request calls for legal
19 conclusion(s). Accordingly, Responding Party cannot respond to this request as phrased.

20 **REQUEST FOR PRODUCTION NO. 88:**

21 ALL PHOTOS and VIDEOS EVIDENCING that the allegations in the FACC for the
22 premises liability claim stem from more than the TRASH INCIDENT only.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 88:**

24 Objection. This request is improper because is not full and complete in and of itself, in
25 contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous
26 as to the term “TRASH INCIDENT.” This request lacks foundation. This request calls for
27 information protected by the attorney-client privilege and/or the work product doctrine. This
28 request calls for legal conclusion(s). Subject to and without waiving the foregoing objections,

Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 89:

All DOCUMENTS EVIDENCING that on or after February 16, 2018, YOU did suffer a tangible physical injury on LOT 1.

RESPONSE TO REQUEST FOR PRODUCTION NO. 89:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “tangible physical injury.” This request lacks foundation. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. This request calls for legal conclusion(s). Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 90:

All DOCUMENTS EVIDENCING that on or after February 16, 2018, YOU did suffer a tangible physical injury in the ROWENA LOFTS COMMUNITY.

RESPONSE TO REQUEST FOR PRODUCTION NO. 90:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “tangible physical injury.” This request lacks foundation. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. This request calls for legal conclusion(s). Subject to and without waiving the foregoing objections,

Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 91:

All DOCUMENTS EVIDENCING licensed professional treatment received by YOU on or after February 16, 2018 for YOUR suffered emotional distress caused by Skyler Wells, as alleged in the FACC for the premises liability claim.

RESPONSE TO REQUEST FOR PRODUCTION NO. 91:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “licensed professional treatment.” This request lacks foundation. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. This request calls for legal conclusion(s). Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 92:

All DOCUMENTS EVIDENCING prescription medications prescribed for YOU on or after February 16, 2018 for YOUR suffered emotional distress caused by Skyler Wells, as alleged in the FACC for the premises liability claim.

RESPONSE TO REQUEST FOR PRODUCTION NO. 92:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “emotional distress.” This request lacks foundation. This request calls for

information protected by the attorney-client privilege and/or the work product doctrine. This request calls for legal conclusion(s). Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 93:

All DOCUMENTS EVIDENCING that on or after February 16, 2018, YOU did incur expenses caused by Skyler Wells, as alleged in the FACC for the premises liability claim.

RESPONSE TO REQUEST FOR PRODUCTION NO. 93:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague and ambiguous as to the term “expenses.” Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party will comply with this demand.

REQUEST FOR PRODUCTION NO. 94:

ALL PHOTOS and VIDEOS EVIDENCING that the allegations in the FACC for the Private Nuisance claim stem from more than the TRASH INCIDENT only.

RESPONSE TO REQUEST FOR PRODUCTION NO. 94:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “tangible physical injury.” This request lacks foundation. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. This request calls for legal conclusion(s). Subject to and without waiving the foregoing objections,

Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 95:

All PHOTOS and VIDEOS EVIDENCING that YOU and Skyler Wells have interacted in person in the ROWENA LOFTS COMMUNITY.

RESPONSE TO REQUEST FOR PRODUCTION NO. 95:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 96:

All PHOTOS and VIDEOS EVIDENCING that any Owner, other than YOU, and Skyler Wells have interacted in person in the ROWENA LOFTS COMMUNITY.

RESPONSE TO REQUEST FOR PRODUCTION NO. 96:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. The document speaks for

1 itself. This request lacks foundation and assumes facts. This request is burdensome as it calls for
2 the production of documents equally available to Plaintiff. Subject to and without waiving the
3 foregoing objections, Responding Party responds as follows:

4 After a diligent search and reasonable inquiry, Responding Party is unable to comply
5 with this demand as it has no documents in its possession, custody, or control responsive to this
6 request, because responsive documents were never in the possession, custody, or control of
7 Responding Party.

8 **REQUEST FOR PRODUCTION NO. 97:**

9 All PHOTOS and VIDEOS EVIDENCING Skyler Wells PICTURED IN THE ACT of
10 smashing glass bottles in the ROWENA LOFTS COMMUNITY, as alleged in the FACC.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 97:**

12 After a diligent search and reasonable inquiry, Responding Party is unable to comply
13 with this demand as it has no documents in its possession, custody, or control responsive to this
14 request, because responsive documents were never in the possession, custody, or control of
15 Responding Party.

16 **REQUEST FOR PRODUCTION NO. 98:**

17 All PHOTOS and VIDEOS EVIDENCING Skyler Wells PICTURED IN THE ACT of
18 throwing obstacles in the ROWENA LOFTS COMMUNITY, as alleged in the FACC.

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 98:**

20 After a diligent search and reasonable inquiry, Responding Party is unable to comply
21 with this demand as it has no documents in its possession, custody, or control responsive to this
22 request, because responsive documents were never in the possession, custody, or control of
23 Responding Party.

24 **REQUEST FOR PRODUCTION NO. 99:**

25 All PHOTOS and VIDEOS EVIDENCING Skyler Wells PICTURED IN THE ACT of
26 smashing or damaging cameras in the ROWENA LOFTS COMMUNITY, as alleged in the FACC.

27 **RESPONSE TO REQUEST FOR PRODUCTION NO. 99:**

28 After a diligent search and reasonable inquiry, Responding Party is unable to comply

1 with this demand as it has no documents in its possession, custody, or control responsive to this
2 request, because responsive documents were never in the possession, custody, or control of
3 Responding Party.

4 **REQUEST FOR PRODUCTION NO. 100:**

5 All PHOTOS and VIDEOS EVIDENCING Skyler Wells PICTURED IN THE ACT of
6 smashing or damaging security cameras in the ROWENA LOFTS COMMUNITY, as alleged in the
7 FACC.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 100:**

9 After a diligent search and reasonable inquiry, Responding Party is unable to comply
10 with this demand as it has no documents in its possession, custody, or control responsive to this
11 request, because responsive documents were never in the possession, custody, or control of
12 Responding Party.

13 **REQUEST FOR PRODUCTION NO. 101:**

14 All PHOTOS and VIDEOS EVIDENCING Skyler Wells PICTURED IN THE ACT of
15 smashing or damaging phones in the ROWENA LOFTS COMMUNITY, as alleged in the FACC.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 101:**

17 After a diligent search and reasonable inquiry, Responding Party is unable to comply
18 with this demand as it has no documents in its possession, custody, or control responsive to this
19 request, because responsive documents were never in the possession, custody, or control of
20 Responding Party.

21 **REQUEST FOR PRODUCTION NO. 102:**

22 All PHOTOS and VIDEOS EVIDENCING Skyler Wells PICTURED IN THE ACT of
23 holding a baseball bat in the ROWENA LOFTS COMMUNITY, as alleged in the FACC.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 102:**

25 After a diligent search and reasonable inquiry, Responding Party is unable to comply
26 with this demand as it has no documents in its possession, custody, or control responsive to this
27 request, because responsive documents were never in the possession, custody, or control of
28 Responding Party.

REQUEST FOR PRODUCTION NO. 103:

All PHOTOS and VIDEOS EVIDENCING Skyler Wells PICTURED IN THE ACT of holding a gun or stun gun in the ROWENA LOFTS COMMUNITY, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 103:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 104:

All PHOTOS and VIDEOS EVIDENCING Skyler Wells PICTURED IN THE ACT of placing rotting trash or rotting refuse on LOT 1, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 104:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 105:

All PHOTOS and VIDEOS EVIDENCING Skyler Wells PICTURED IN THE ACT of placing rotting trash or rotting refuse in the ROWENA LOFTS COMMUNITY, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 105:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 106:

All DOCUMENTS, authored by Skyler Wells, EVIDENCING threats made by Skyler Wells to YOU on or after February 16, 2018, excluding the CACTUS PROPERTY LOSS EMAIL and the

SEWER BLACKWATER PROPERTY LOSS EMAILS, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 106:

Responding Party will comply with this demand.

REQUEST FOR PRODUCTION NO. 107:

All DOCUMENTS, authored by Skyler Wells, EVIDENCING threats made by Skyler Wells to any OWNER, excluding YOU, on and after February 16, 2018, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 107:

Responding Party will comply with this demand.

REQUEST FOR PRODUCTION NO. 108:

All PHOTOS and VIDEOS EVIDENCING, on or after February 16, 2018, Skyler Wells PICTURED IN THE ACT of obstructing YOUR free access to YOUR lot, LOT 4, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 108:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 109:

All PHOTOS and VIDEOS EVIDENCING, on or after February 16, 2018, Skyler Wells PICTURED IN THE ACT of obstructing YOUR free access to the EASEMENT MAINTENANCE AREAS or EASEMENTS, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 109:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 110:

All PHOTOS and VIDEOS EVIDENCING, on or after February 16, 2018, Skyler Wells

1 PICTURED IN THE ACT of interfering with YOUR inspection, preservation, operation,
2 maintenance, management, repair, and replacement on YOUR lot, LOT 4, as alleged in the FACC.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 110:**

4 Objection. This request is improper because is not full and complete in and of itself, in
5 contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound.
6 Responding Party objects to this request on the grounds that it is vague and overbroad as to time
7 and scope, seeks information not relevant to the subject matter of this litigation, and is not
8 reasonably calculated to lead to the discovery of admissible evidence. This request is vague and
9 ambiguous as to the term “inspection, preservation, operation, maintenance, management, repair,
10 and replacement.” Subject to and without waiving the foregoing objections, Responding Party
11 responds as follows:

12 After a diligent search and reasonable inquiry, Responding Party is unable to comply
13 with this demand as it has no documents in its possession, custody, or control responsive to this
14 request, because responsive documents were never in the possession, custody, or control of
15 Responding Party.

16 **REQUEST FOR PRODUCTION NO. 111:**

17 All DOCUMENTS EVIDENCING that on or after February 16, 2018, YOU did have
18 diminution or loss in the value of YOUR real property, LOT 4, caused by Skyler Wells, as alleged
19 in the FACC.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 111:**

21 Objection. This request is improper because is not full and complete in and of itself, in
22 contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request calls for expert
23 opinion(s). This request lacks foundation and assumes facts. This request seeks information
24 protected by the attorney-client privilege, the attorney work-product doctrine and prepared in
25 anticipation of litigation This request calls for legal conclusion(s). Subject to and without
26 waiving the foregoing objections, Responding Party responds as follows:

27 After a diligent search and reasonable inquiry, Responding Party is unable to comply
28 with this demand as it has no documents in its possession, custody, or control responsive to this

request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 112:

All PHOTOS and VIDEOS EVIDENCING, on or after February 16, 2018, Skyler Wells PICTURED IN THE ACT of causing YOU to have loss of comfortable or quiet enjoyment of life and property on YOUR lot, LOT 4, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 112:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request calls for expert opinion(s). This request lacks foundation and assumes facts. This request seeks information protected by the attorney-client privilege, the attorney work-product doctrine and prepared in anticipation of litigation This request calls for legal conclusion(s). Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 113:

All DOCUMENTS EVIDENCING licensed professional treatment received by YOU on or after February 16, 2018 for YOUR suffered emotional distress caused by Skyler Wells, as alleged in the FACC for the nuisance claim.

RESPONSE TO REQUEST FOR PRODUCTION NO. 113:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “licensed professional treatment.” This request lacks foundation. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. This request calls for legal conclusion(s). Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 114:

All DOCUMENTS EVIDENCING prescription medications prescribed for YOU on or after February 16, 2018 for YOUR suffered emotional distress caused by Skyler Wells, as alleged in the FACC for the nuisance claim.

RESPONSE TO REQUEST FOR PRODUCTION NO. 114:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request lacks foundation. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. This request calls for legal conclusion(s). Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 115:

All DOCUMENTS EVIDENCING that on or after February 16, 2018, YOU did incur expenses caused by Skyler Wells, as alleged in the FACC for the nuisance claim.

RESPONSE TO REQUEST FOR PRODUCTION NO. 115:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague and ambiguous as to the term “expenses.” Subject to and without waiving the foregoing objections,

Responding Party responds as follows:

Responding Party will comply with this demand

REQUEST FOR PRODUCTION NO. 116:

All PHOTOS and VIDEOS EVIDENCING, on or after February 16, 2018, Skyler Wells PICTURED IN THE ACT of obstructing any OWNER, excluding YOU, free access to their lot, LOT 2, LOT 3, LOT 5, or LOT 6, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 116:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 117:

All PHOTOS and VIDEOS EVIDENCING, on or after February 16, 2018, Skyler Wells PICTURED IN THE ACT of obstructing any OWNER, excluding YOU, free access to the EASEMENT MAINTENANCE AREAS or EASEMENTS, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 117:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 118:

All PHOTOS and VIDEOS EVIDENCING, on or after February 16, 2018, Skyler Wells PICTURED IN THE ACT of interfering with any OWNER, excluding YOU, inspection, preservation, operation, maintenance, management, repair, and replacement on their lot, LOT 2, LOT 3, LOT 5, or LOT 6, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 118:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound.

Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague and ambiguous as to the term “inspection, preservation, operation, maintenance, management, repair, and replacement.” Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 119:

All DOCUMENTS EVIDENCING that on or after February 16, 2018, any OWNER, excluding YOU, did have diminution or loss in the value of their real property, LOT 2, LOT 3, LOT 5, or LOT 6, caused by Skyler Wells, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 119:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request calls for expert opinion(s). This request lacks foundation and assumes facts. This request seeks information protected by the attorney-client privilege, the attorney work-product doctrine and prepared in anticipation of litigation. This request calls for legal conclusion(s). Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 120:

All PHOTOS and VIDEOS EVIDENCING, on or after February 16, 2018, Skyler Wells PICTURED IN THE ACT of causing any OWNER, excluding YOU, to have loss of comfortable or

1 quiet enjoyment of life and property on their lot, LOT 2, LOT 3, LOT 5, or LOT 6, as alleged in the
2 FACC.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 120:**

4 Objection. This request is improper because is not full and complete in and of itself, in
5 contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request calls for expert
6 opinion(s). This request lacks foundation and assumes facts. This request seeks information
7 protected by the attorney-client privilege, the attorney work-product doctrine and prepared in
8 anticipation of litigation. This request calls for legal conclusion(s). Subject to and without
9 waiving the foregoing objections, Responding Party responds as follows:

10 After a diligent search and reasonable inquiry, Responding Party is unable to comply
11 with this demand as it has no documents in its possession, custody, or control responsive to this
12 request, because responsive documents were never in the possession, custody, or control of
13 Responding Party.

14 **REQUEST FOR PRODUCTION NO. 121:**

15 All DOCUMENTS EVIDENCING that on or after February 16, 2018, any OWNER,
16 excluding YOU, did suffer emotional distress caused by Skyler Wells, as alleged in the FACC for the
17 nuisance claim.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 121:**

19 Objection. This request is improper because is not full and complete in and of itself, in
20 contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous
21 as to the term “emotional distress.” This request lacks foundation. This request calls for
22 information protected by the attorney-client privilege and/or the work product doctrine. This
23 request calls for legal conclusion(s). Subject to and without waiving the foregoing objections,
24 Responding Party responds as follows:

25 After a diligent search and reasonable inquiry, Responding Party is unable to comply
26 with this demand as it has no documents in its possession, custody, or control responsive to this
27 request, because responsive documents were never in the possession, custody, or control of
28 Responding Party.

REQUEST FOR PRODUCTION NO. 122:

All DOCUMENTS EVIDENCING licensed professional treatment received by any OWNER, excluding YOU, on or after February 16, 2018 for their suffered emotional distress caused by Skyler Wells, as alleged in the FACC for the nuisance claim.

RESPONSE TO REQUEST FOR PRODUCTION NO. 122:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “emotional distress.” This request lacks foundation. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. This request calls for legal conclusion(s). Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 123:

All DOCUMENTS EVIDENCING prescription medications prescribed for any OWNER, excluding YOU, on or after February 16, 2018 for their suffered emotional distress caused by Skyler Wells, as alleged in the FACC for the nuisance claim.

RESPONSE TO REQUEST FOR PRODUCTION NO. 123:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “emotional distress.” This request lacks foundation. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. This request calls for legal conclusion(s). Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this

request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 124:

All DOCUMENTS EVIDENCING that on or after February 16, 2018, any OWNER, excluding YOU, did incur expenses caused by Skyler Wells, as alleged in the FACC for the nuisance claim.

RESPONSE TO REQUEST FOR PRODUCTION NO. 124:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 125:

All PHOTOS and VIDEOS EVIDENCING, on or after February 16, 2018, Skyler Wells PICTURED IN THE ACT of altering or removing the ADDRESS RANGE SIGN EASEMENT, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 125:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 126:

All PHOTOS and VIDEOS EVIDENCING, on or after February 16, 2018, Skyler Wells

1 PICTURED IN THE ACT of altering, destroying, and removing the LANDSCAPING
2 EASEMENT, as alleged in the FACC.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 126:**

4 Responding Party will comply with this demand.

5 **REQUEST FOR PRODUCTION NO. 127:**

6 All DOCUMENTS, including specific page numbers, paragraph numbers, line numbers, and
7 quotations, EVIDENCING that an irrigation system easement on LOT 1 is defined in the CC&Rs.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 127:**

9 Responding Party will comply with this demand.

10 **REQUEST FOR PRODUCTION NO. 128:**

11 All DOCUMENTS, including specific page numbers, paragraph numbers, line numbers, and
12 quotations, EVIDENCING that an irrigation system easement in the ROWENA LOFTS
13 COMMUNITY is defined in the CC&Rs.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 128:**

15 Responding Party will comply with this demand.

16 **REQUEST FOR PRODUCTION NO. 129:**

17 All PHOTOS and VIDEOS EVIDENCING, on or after February 16, 2018, Skyler Wells
18 PICTURED IN THE ACT of altering, destroying, and removing an irrigation system easement, as
19 alleged in the FACC.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 129:**

21 Responding Party will comply with this demand.

22 **REQUEST FOR PRODUCTION NO. 130:**

23 All DOCUMENTS EVIDENCING that on and after February 16, 2018, YOU did purchase
24 and install the DROUGHT TOLERANT LANDSCAPING.

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 130:**

26 After a diligent search and reasonable inquiry, Responding Party is unable to comply
27 with this demand as it has no documents in its possession, custody, or control responsive to this
28

request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 131:

All PHOTOS and VIDEOS EVIDENCING, on and after February 16, 2018, Skyler Wells PICTURED IN THE ACT of altering, destroying, and removing any landscaping, other than the DROUGHT TOLERANT LANDSCAPING, due to the Sewer Blackwater Property Loss, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 131:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 132:

All DOCUMENTS EVIDENCING that on and after February 16, 2018, YOU did purchase and install the DRIP IRRIGATION SYSTEM.

RESPONSE TO REQUEST FOR PRODUCTION NO. 132:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 133:

All PHOTOS and VIDEOS EVIDENCING, on and after February 16, 2018, Skyler Wells PICTURED IN THE ACT of altering, destroying, and removing any irrigation system, other than the DRIP IRRIGATION SYSTEM, due to the Sewer Blackwater Property Loss, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 133:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this

request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 134:

All DOCUMENTS EVIDENCING that on and after February 16, 2018, Skyler Wells did seek to exert control of any EASEMENT MAINTENANCE AREAS or EASEMENTS, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 134:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague and ambiguous as to the term “exert control.” Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party will comply with this demand

REQUEST FOR PRODUCTION NO. 135:

All DOCUMENTS EVIDENCING that on and after February 16, 2018, Skyler Wells did seek to make decisions which required majority consensus of the OWNERS, as alleged in the FACC

RESPONSE TO REQUEST FOR PRODUCTION NO. 135:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague and ambiguous as to the term “majority consensus.” Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party will comply with this demand.

///

REQUEST FOR PRODUCTION NO. 136:

All PHOTOS and VIDEOS EVIDENCING, on and after February 16, 2018, Skyler Wells PICTURED IN THE ACT of continuously and repeatedly, with escalation, harass, annoy, disturb, intimidate, threaten in writing, verbally threaten, threaten, threaten personally, threaten with destructive acts, threaten with violence, threaten with potential harm, confront, dangerously confront, potentially violently confront, harm, demonstrate belligerence, cause mayhem, demonstrate dangerous actions, demonstrate dangerous activities, demonstrate dangerous acts, demonstrate threatening actions, demonstrate threatening activities, demonstrate threatening acts, demonstrate menacing behavior, demonstrate menacing acts, demonstrate erratic behavior, demonstrate destructive behavior, demonstrate destructive acts, demonstrate violence, demonstrate violent acts, and demonstrate violent actions toward YOU (including YOUR family, friends, and vendors), as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 136:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. The request is compound. This request lacks foundation and assumes facts. This request is burdensome as it calls for the production of documents equally available to Plaintiff. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 137:

All DOCUMENTS EVIDENCING, on and after February 16, 2018, Skyler Wells continuously and repeatedly, with escalation, harass, annoy, disturb, intimidate, threaten in writing,

verbally threaten, threaten, threaten personally, threaten with destructive acts, threaten with violence, threaten with potential harm, confront, dangerously confront, potentially violently confront, harm, demonstrate belligerence, cause mayhem, demonstrate dangerous actions, demonstrate dangerous activities, demonstrate dangerous acts, demonstrate threatening actions, demonstrate threatening activities, demonstrate threatening acts, demonstrate menacing behavior, demonstrate menacing acts, demonstrate erratic behavior, demonstrate destructive behavior, demonstrate destructive acts, demonstrate violence, demonstrate violent acts, and demonstrate violent actions toward YOU (including YOUR family, friends, and vendors), excluding the Cactus Property Loss Email and Sewer Blackwater Property Loss Emails, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 137:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. The request is compound. This request lacks foundation and assumes facts. This request is burdensome as it calls for the production of documents equally available to Plaintiff. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party will comply with this demand.

REQUEST FOR PRODUCTION NO. 138:

All PHOTOS and VIDEOS EVIDENCING, on and after February 16, 2018, Skyler Wells PICTURED IN THE ACT of continuously and repeatedly, with escalation, harass, annoy, disturb, intimidate, threaten in writing, verbally threaten, threaten, threaten personally, threaten with destructive acts, threaten with violence, threaten with potential harm, confront, dangerously confront, potentially violently confront, harm, demonstrate belligerence, cause mayhem, demonstrate dangerous actions, demonstrate dangerous activities, demonstrate dangerous acts, demonstrate threatening actions, demonstrate threatening activities, demonstrate threatening acts, demonstrate menacing behavior, demonstrate menacing acts, demonstrate erratic behavior, demonstrate

destructive behavior, demonstrate destructive acts, demonstrate violence, demonstrate violent acts, and demonstrate violent actions toward any OWNER (including their family, friends, and vendors), excluding YOU, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 138:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. The request is compound. This request lacks foundation and assumes facts. This request is burdensome as it calls for the production of documents equally available to Plaintiff. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 139:

All DOCUMENTS EVIDENCING, on and after February 16, 2018, Skyler Wells continuously and repeatedly, with escalation, harass, annoy, disturb, intimidate, threaten in writing, verbally threaten, threaten, threaten personally, threaten with destructive acts, threaten with violence, threaten with potential harm, confront, dangerously confront, potentially violently confront, harm, demonstrate belligerence, cause mayhem, demonstrate dangerous actions, demonstrate dangerous activities, demonstrate dangerous acts, demonstrate threatening actions, demonstrate threatening activities, demonstrate threatening acts, demonstrate menacing behavior, demonstrate menacing acts, demonstrate erratic behavior, demonstrate destructive behavior, demonstrate destructive acts, demonstrate violence, demonstrate violent acts, and demonstrate violent actions toward any OWNER (including their family, friends, and vendors), excluding YOU, as alleged in the FACC.

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RESPONSE TO REQUEST FOR PRODUCTION NO. 139:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. The request is compound. This request lacks foundation and assumes facts. This request is burdensome as it calls for the production of documents equally available to Plaintiff. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party will comply with this demand.

REQUEST FOR PRODUCTION NO. 140:

All PHOTOS and VIDEOS EVIDENCING, on and after February 16, 2018, Skyler Wells PICTURED IN THE ACT of causing all of the damages alleged by Skyler Wells for the CACTUS PROPERTY LOSS, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 140:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. The request is compound. This request lacks foundation and assumes facts. This request is burdensome as it calls for the production of documents equally available to Plaintiff. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

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REQUEST FOR PRODUCTION NO. 141:

All PHOTOS and VIDEOS EVIDENCING, on and after February 16, 2018, Skyler Wells PICTURED IN THE ACT of causing all of the damages alleged by Skyler Wells for the DEFERRED MAINTENANCE PROPERTY LOSS, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 141:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. The request is compound. This request lacks foundation and assumes facts. This request is burdensome as it calls for the production of documents equally available to Plaintiff. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 142:

All PHOTOS and VIDEOS EVIDENCING, on and after February 16, 2018, Skyler Wells PICTURED IN THE ACT of causing all of the damages alleged by Skyler Wells for the SEWER BLACKWATER PROPERTY LOSS, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 142:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term "SEWER BLACKWATER PROPERTY LOSS." This request lacks foundation. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this

request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 143:

All PHOTOS and VIDEOS EVIDENCING, on and after February 16, 2018, Skyler Wells PICTURED IN THE ACT of causing all of the damages alleged by Skyler Wells for the SEWAGE DEBRIS INCIDENT, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 143:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “SEWAGE DEBRIS INCIDENT.” This request lacks foundation. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 144:

All PHOTOS and VIDEOS EVIDENCING, on and after February 16, 2018, Skyler Wells PICTURED IN THE ACT of causing all of the damages alleged by Skyler Wells for the COMMERCIAL MOVIE/TELEVISION FILMING LOSS, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 144:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “COMMERCIAL MOVIE/TELEVISION FILMING LOSS.” This request lacks foundation. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this

request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 145:

All PHOTOS and VIDEOS EVIDENCING, on and after February 16, 2018, Skyler Wells PICTURED IN THE ACT of causing all of the damages alleged by Skyler Wells for the FORECLOSURE PROPERTY LOSS, as alleged in the FACC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 145:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This request is vague and ambiguous as to the term “FORECLOSURE PROPERTY LOSS.” This request lacks foundation. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a diligent search and reasonable inquiry, Responding Party is unable to comply with this demand as it has no documents in its possession, custody, or control responsive to this request, because responsive documents were never in the possession, custody, or control of Responding Party.

REQUEST FOR PRODUCTION NO. 146:

All DOCUMENTS RELATING to ROWENA LOFTS COMMUNITY monthly income statement summary for each month between February 2018 and October 2024.

RESPONSE TO REQUEST FOR PRODUCTION NO. 146:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague as to time. This request violates the privacy of individuals who are not parties to this action. Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR PRODUCTION NO. 147:

All DOCUMENTS RELATING to ROWENA LOFTS COMMUNITY monthly income

statement detail for each month between February 2018 and October 2024.

RESPONSE TO REQUEST FOR PRODUCTION NO. 147:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague as to time. This request violates the privacy of individuals who are not parties to this action. Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR PRODUCTION NO. 148:

All DOCUMENTS RELATING to ROWENA LOFTS COMMUNITY monthly balance sheet summary for each month between February 2018 and October 2024.

RESPONSE TO REQUEST FOR PRODUCTION NO. 148:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague as to time. This request violates the privacy of individuals who are not parties to this action. Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR PRODUCTION NO. 149:

All DOCUMENTS RELATING to ROWENA LOFTS COMMUNITY monthly balance sheet detail for each month between February 2018 and October 2024.

RESPONSE TO REQUEST FOR PRODUCTION NO. 149:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the

discovery of admissible evidence. This request is vague as to time. This request violates the privacy of individuals who are not parties to this action. Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR PRODUCTION NO. 150:

All DOCUMENTS RELATING to ROWENA LOFTS COMMUNITY monthly cash flow statement summary for each month between February 2018 and October 2024.

RESPONSE TO REQUEST FOR PRODUCTION NO. 150:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague as to time. This request violates the privacy of individuals who are not parties to this action. Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR PRODUCTION NO. 151:

All DOCUMENTS RELATING to ROWENA LOFTS COMMUNITY monthly cash flow statement detail for each month between February 2018 and October 2024.

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RESPONSE TO REQUEST FOR PRODUCTION NO. 151:

Objection. This request is improper because is not full and complete in and of itself, in contravention of *Code of Civil Procedure* § 2031.030(c)(1). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague as to time. This request violates the privacy of individuals who are not parties to this action. Accordingly, Responding Party cannot respond to this request as phrased.

Dated: December 26, 2024

LAGASSE BRANCH BELL + KINKEAD LLP

By: _____

Seyan Gobel
Artin Avetisove
Attorneys for Defendants
Cameron Hopkins and Jay Dyckman

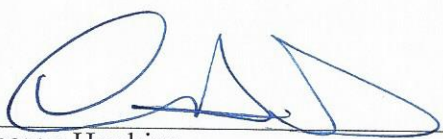
Case: Skyler Wells v. Cameron Hopkins, et al.
Case No.: 22STCV05843

VERIFICATION

I, Cameron Hopkins, declare:

I am the Defendant in the above-entitled action. I have read the foregoing
**DEFENDANT CAMERON HOPKINS' RESPONSE TO PLAINTIFF AND CROSS-
DEFENDANT SKYLER WELLS' REQUEST FOR PRODUCTION OF DOCUMENTS,
SET TWO**, on file herein and know the contents thereof. To the extent I have personal
knowledge of the matters set forth herein, the same are true and correct. Insofar as said
matters are a composite of the information of many individuals, I do not have personal
knowledge concerning all of the information contained in said Response, but I am informed
and believe that the information set forth therein for which I lack personal knowledge is true
and correct.

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct. Executed in Los Angeles, California on 24 day of December,
2024.


Cameron Hopkins

SUPERIOR COURT OF CALIFORNIA LOS ANGELES COUNTY	COURT USE ONLY
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): TELEPHONE NO.: Sevan Gobel (SBN: 221768) Tel: (213) 817-9152 Artin Avetisove (SBN: 258777) Jeffrey Y. Tsao (SBN: 294379) LAGASSE BRANCH BELL + KINKEAD LLP 626 Wilshire Blvd. Suite 1000 Los Angeles, CA 90017	
SHORT CASE TITLE Skyler Wells v. Cameron Hopkins, et al.	Judge: Hon. Wendy Chang Dept.: 36
ATTORNEY FOR DEFENDANTS: CAMERON HOPKINS AND JAY DYCKMAN	CASE NUMBER: 22STCV05843

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is 626 Wilshire Blvd, Suite 1000, Los Angeles, CA 90017.

On **December 26, 2024**, I caused to be served the within document(s):

- 1. DEFENDANT CAMERON HOPKINS' RESPONSE TO PLAINTIFF AND CROSS-DEFENDANT SKYLER WELLS' REQUEST FOR PRODUCTION OF DOCUMENTS, SET TWO**
- 2. DEFENDANT CAMERON HOPKINS'S RESPONSE TO PLAINTIFF SKYLER WELLS' SPECIAL INTERROGATORIES, SET ONE**
- 3. DEFENDANT CAMERON HOPKINS'S RESPONSE TO PLAINTIFF SKYLER WELLS' REQUEST FOR ADMISSIONS, SET TWO**
- 4. DEFENDANT CAMERON HOPKINS'S RESPONSE TO PLAINTIFF SKYLER WELLS' FORM INTERROGATORIES – GENERAL, SET TWO**
- 5. DEFENDANT JAY DYCKMAN'S RESPONSE TO PLAINTIFF SKYLER WELLS' FORM INTERROGATORIES – GENERAL, SET TWO**
- 6. DEFENDANT JAY DYCKMAN'S RESPONSE TO PLAINTIFF SKYLER WELLS' SPECIAL INTERROGATORIES, SET ONE**
- 7. DEFENDANT JAY DYCKMAN'S RESPONSE TO PLAINTIFF SKYLER WELLS' REQUEST FOR PRODUCTION OF DOCUMENTS, SET TWO**
- 8. DEFENDANT JAY DYCKMAN'S RESPONSE TO PLAINTIFF SKYLER WELLS' REQUEST FOR ADMISSIONS, SET TWO**

or each addressee named hereafter and addressed as follows:

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Cameron Hopkins, an Individual*

Document received by the CA 2nd District Court of Appeal.

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***Attorneys for Cross-Defendants David
Schiamberg and Marilyn Schiamberg***

(X) **ONLY BY ELECTRONIC TRANSMISSION.** Only by e-mailing the document(s) to the persons at the e-mail address(es) listed pursuant to Code of Civil Procedure section 1010.6. No electronic message or other indication that the transmission was unsuccessful was received within a reasonable time after the transmission.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
Executed on December 26, 2024, at San Diego, California.



Lisa Rodriguez

Document received by the CA 2nd District Court of Appeal.

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Attorneys for Defendants
Cameron Hopkins and Jay Dyckman

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

SKYLER WELLS,

Plaintiff,

vs.

CAMERON HOPKINS, an individual; and JAY
DYCKMAN, an individual,

Defendants.

CASE NO. 22STCV05843

**DEFENDANT CAMERON HOPKINS'S
RESPONSE TO PLAINTIFF SKYLER
WELLS' REQUEST FOR ADMISSIONS,
SET TWO**

Judge: Hon. Wendy Chang
Dept.: 36

Complaint filed: 02/16/2022
First Amended Complaint filed: 03/29/2022
Second Amended Complaint filed: 12/09/2022
Third Amended Complaint filed: 12/26/2023
Fourth Amended Complaint filed: 06/09/2023
Trial date: 03/28/2025

CAMERON HOPKINS, an individual,

Cross-Complainant,

vs.

SKYLER WELLS aka SKYLAR WELLS, an
individual; DAVID SCHIAMBERG, an
individual; MARILYN SCHIAMBERG, an
individual, and ROES 1-20

Cross-Defendants.

1 **PROPOUNDING PARTY:** Plaintiff SKYLER WELLS

2 **RESPONDING PARTY:** Defendant CAMERON HOPKINS

3 **SET NO.:** Two (2)

4 Defendant CAMERON HOPKINS (Responding Party or Defendants) responds to
5 Plaintiff SKYLER WELLS Request for Admissions, Set Two, as follows:

6 **REQUEST FOR ADMISSION NO. 14:**

7 Admit that each of the six (6) single-family residential lots is a separately owned lot or
8 separate interest in the ROWENA LOFTS COMMUNITY.

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 14:**

10 Objection. This request is compound. Responding Party objects to this request on the
11 grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the
12 subject matter of this litigation, and is not reasonably calculated to lead to the discovery of
13 admissible evidence. Responding Party further objects to this request on the grounds this request
14 calls for a legal conclusion. Subject to and without waiving the foregoing objections, Responding
15 Party responds as follows:

16 Admit.

17 **REQUEST FOR ADMISSION NO. 15:**

18 Admit that a CONDOMINIUM PLAN does not exist for the ROWENA LOFTS
19 COMMUNITY.

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 15:**

21 Objection. This request is compound. Responding Party objects to this request on the
22 grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the
23 subject matter of this litigation, and is not reasonably calculated to lead to the discovery of
24 admissible evidence. Responding Party further objects to this request on the grounds that it is
25 vague and ambiguous as to the term "CONDOMINIUM PLAN." This request call for
26 conclusion(s) and the premature disclosure of expert opinion(s). This request lacks foundation
27 and assumes facts not in evidence. Subject to and without waiving the foregoing objections,
28 Responding Party responds as follows:

1 Responding Party denies a “condominium plan” as defined by Plaintiff for the property
2 was required.

3 **REQUEST FOR ADMISSION NO. 16:**

4 Admit that the LOT 1 PURCHASE AGREEMENT was not signed by David Schiamberg
5 and Marilyn Schiamberg.

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 16:**

7 Objection. This request is improper because is not full and complete in and of itself, in
8 contravention of Code of Civil Procedure section 2033.060(d). This request is compound.
9 Responding Party objects to this request on the grounds that it is vague and overbroad as to time
10 and scope, seeks information not relevant to the subject matter of this litigation, and is not
11 reasonably calculated to lead to the discovery of admissible evidence. The document speaks for
12 itself. This request lacks foundation and assumes facts. Subject to and without waiving the
13 foregoing objections, Responding Party responds as follows:

14 Admit. However, Responding Party explicitly denies the Lot 1 Purchase Agreement is the
15 sole legal document that sets David Schiamberg’s and Marilyn Schiamberg’s obligations with
16 respect to the property and ownership interests in the property.

17 **REQUEST FOR ADMISSION NO. 17:**

18 Admit that the LOT 1 OWNERSHIP AGREEMENT defines the owner of LOT 1 as
19 Skyler Wells.

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 17:**

21 Objection. This request is improper because is not full and complete in and of itself, in
22 contravention of Code of Civil Procedure section 2033.060(d). This request is compound.
23 Responding Party objects to this request on the grounds that it is vague and overbroad as to time
24 and scope, seeks information not relevant to the subject matter of this litigation, and is not
25 reasonably calculated to lead to the discovery of admissible evidence. The document speaks for
26 itself. This request lacks foundation and assumes facts. This request Subject to and without
27 waiving the foregoing objections, Responding Party responds as follows:

28 Admit. However, Responding Party explicitly denies the Lot 1 Purchase Agreement is the

sole legal document that sets David Schiamberg's and Marilyn Schiamberg's obligations with respect to the property and ownership interests in the property.

REQUEST FOR ADMISSION NO. 18:

Admit that the LOT 1 OWNERSHIP AGREEMENT defines those having such interests in LOT 1 merely as security for the performance of an obligation as David Schiamberg and Marilyn Schiamberg.

RESPONSE TO REQUEST FOR ADMISSION NO. 18:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. The document speaks for itself. This request lacks foundation and assumes facts. This request calls for a legal conclusion. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party explicitly denies the Lot 1 Purchase Agreement is the sole legal document that sets David Schiamberg's and Marilyn Schiamberg's obligations with respect to the property and ownership interests in the property.

REQUEST FOR ADMISSION NO. 19:

Admit that between January 1, 2013 and October 3, 2024, David Schiamberg and Marilyn Schiamberg have not occupied or resided in LOT 1.

RESPONSE TO REQUEST FOR ADMISSION NO. 19:

Objection. Responding Party objects to this request on the grounds that it seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Admit.

REQUEST FOR ADMISSION NO. 20:

Admit that the CC&Rs ENFORCEABILITY does not permit the DECLARATION and

CC&Rs to be enforceable against David Schiamberg and Marilyn Schiamberg.

RESPONSE TO REQUEST FOR ADMISSION NO. 20:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). This request lacks foundation and assumes facts. This request seeks information protected by the attorney-client privilege, the attorney work-product doctrine and prepared in anticipation of litigation. This request calls for legal conclusion(s). Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Deny.

REQUEST FOR ADMISSION NO. 21:

Admit that in December 2012, Skyler Wells purchased LOT 1.

RESPONSE TO REQUEST FOR ADMISSION NO. 21:

Admit to the extent that Plaintiff Skyler Wells was one of the purchasers.

REQUEST FOR ADMISSION NO. 22:

Admit that on October 3, 2024, LOT 1 was sold at foreclosure public auction.

RESPONSE TO REQUEST FOR ADMISSION NO. 22:

Admit.

REQUEST FOR ADMISSION NO. 23:

Admit that on and after October 3, 2024, Skyler Wells is not the owner of LOT 1.

RESPONSE TO REQUEST FOR ADMISSION NO. 23:

Admit.

REQUEST FOR ADMISSION NO. 24:

Admit that in March 2018, Cameron Hopkins purchased LOT 4.

RESPONSE TO REQUEST FOR ADMISSION NO. 24:

Admit.

REQUEST FOR ADMISSION NO. 25:

Admit that between March 2018 and the present date, Cameron Hopkins has not occupied or resided in LOT 4.

RESPONSE TO REQUEST FOR ADMISSION NO. 25:

Objection. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Deny.

REQUEST FOR ADMISSION NO. 26:

Admit that between March 2018 and the present date, Cameron Hopkins has occupied and resided at 388 Brentwood Avenue, Ventura, California 93003.

RESPONSE TO REQUEST FOR ADMISSION NO. 26:

Objection. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Deny.

REQUEST FOR ADMISSION NO. 27:

Admit that in November 2018, YOU purchased LOT 6.

RESPONSE TO REQUEST FOR ADMISSION NO. 27:

Objection. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Admit.

REQUEST FOR ADMISSION NO. 28:

Admit that the ROWENA LOFTS COMMUNITY is governed by the CC&Rs.

RESPONSE TO REQUEST FOR ADMISSION NO. 28:

Admit to the extent the community is governed by the 2012 CC&Rs as amended by the 2019 first amendment to the CC&Rs.

REQUEST FOR ADMISSION NO. 29:

Admit that a former record owner of a lot in the ROWENA LOFTS COMMUNITY is not an OWNER.

RESPONSE TO REQUEST FOR ADMISSION NO. 29:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). This request calls for legal conclusion(s). This request lacks foundation and assumes facts. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague as to time. Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR ADMISSION NO. 30:

Admit that the ASSOCIATION exists at the ROWENA LOFTS COMMUNITY.

RESPONSE TO REQUEST FOR ADMISSION NO. 30:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). This request calls for legal conclusion(s). This request lacks foundation and assumes facts. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague as to time. Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR ADMISSION NO. 31:

Admit that each OWNER is a member in the ASSOCIATION.

RESPONSE TO REQUEST FOR ADMISSION NO. 31:

Admit.

REQUEST FOR ADMISSION NO. 32:

Admit that the Cross-Complaint and FACC do not comply with COLLECTION ACTION.

RESPONSE TO REQUEST FOR ADMISSION NO. 32:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). This request calls for information protected by the attorney-client privilege and/or the work product doctrine. This request calls for a legal conclusion(s). Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Deny the “collections action” as defined by Plaintiff cite to the appropriate provisions of the applicable CC&Rs.

REQUEST FOR ADMISSION NO. 33:

Admit that LEGAL EXPENSES RECOVERY is not permitted for the Cross-Complaint and FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 33:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). This request calls for information protected by the attorney-client privilege and/or the work product doctrine. This request calls for a legal conclusion(s). Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Deny.

REQUEST FOR ADMISSION NO. 34:

Admit that the RESPONSIBLE OWNERS consists of two (2) OWNER.

RESPONSE TO REQUEST FOR ADMISSION NO. 34:

Admit.

REQUEST FOR ADMISSION NO. 35:

Admit that the RESPONSIBLE OWNERS does not consist of one (1) OWNER only.

RESPONSE TO REQUEST FOR ADMISSION NO. 35:

Admit.

REQUEST FOR ADMISSION NO. 36:

Admit that on or around March 2018, YOU were elected to and accepted the role of one

(1) of two (2) RESPONSIBLE OWNERS.

RESPONSE TO REQUEST FOR ADMISSION NO. 36:

Deny.

REQUEST FOR ADMISSION NO. 37:

Admit that between March 2018 and the present date, YOU are one (1) of two (2) RESPONSIBLE OWNERS.

RESPONSE TO REQUEST FOR ADMISSION NO. 37:

Deny.

RESPONSE TO REQUEST FOR ADMISSION NO. 38:

Admit that on or around November 2018, Jay Dyckman was elected to and accepted the role of one (1) of two (2) RESPONSIBLE OWNERS.

RESPONSE TO REQUEST FOR ADMISSION NO. 38:

Deny.

REQUEST FOR ADMISSION NO. 39:

Admit that between November 2018 and the present date, Jay Dyckman is one (1) of two (2) RESPONSIBLE OWNERS.

RESPONSE TO REQUEST FOR ADMISSION NO. 39:

Deny.

REQUEST FOR ADMISSION NO. 40:

Admit that on June 10, 2022 when the Cross-Complaint was filed, Cameron Hopkins and Jay Dyckman were the two (2) RESPONSIBLE OWNERS.

RESPONSE TO REQUEST FOR ADMISSION NO. 40:

Admit.

REQUEST FOR ADMISSION NO. 41:

Admit that on August 1, 2022 when the FACC was filed, Cameron Hopkins and Jay Dyckman were the two (2) RESPONSIBLE OWNERS.

RESPONSE TO REQUEST FOR ADMISSION NO. 41:

Admit.

REQUEST FOR ADMISSION NO. 42:

Admit that the ASSOCIATION, through the RESPONSIBLE OWNERS as the agents, maintains the EASEMENT MAINTENANCE AREAS.

RESPONSE TO REQUEST FOR ADMISSION NO. 42:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. The document speaks for itself. This request lacks foundation and assumes facts. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Deny.

REQUEST FOR ADMISSION NO. 43:

Admit that the ASSOCIATION, through the RESPONSIBLE OWNERS as the agents, has the power to COLLECT ASSESSMENTS and LEVY ASSESSMENTS.

RESPONSE TO REQUEST FOR ADMISSION NO. 43:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. The document speaks for itself. This request lacks foundation and assumes facts. This request is compound. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Deny.

REQUEST FOR ADMISSION NO. 44:

Admit that the DAVIS-STIRLING ACT is a law that regulates common interest developments in California. It applies to condominium, cooperative, and planned unit development communities.

RESPONSE TO REQUEST FOR ADMISSION NO. 44:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for a legal conclusion. This request calls for information protected by the attorney-client privilege and/or the work product doctrine.

Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR ADMISSION NO. 45:

Admit that the LOT 1 FHA PLANNED UNIT DEVELOPMENT RIDER defines the ROWENA LOFTS COMMUNITY as a Planned Unit Development (PUD).

RESPONSE TO REQUEST FOR ADMISSION NO. 45:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for a legal conclusion. This request calls for information protected by the attorney-client privilege and/or the work product doctrine.

Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR ADMISSION NO. 46:

Admit that the LOT 1 PROPERTY UNIFORM RESIDENTIAL APPRAISAL REPORT defines the ROWENA LOFTS COMMUNITY as a Planned Unit Development (PUD).

RESPONSE TO REQUEST FOR ADMISSION NO. 46:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for a legal conclusion. This request calls for

information protected by the attorney-client privilege and/or the work product doctrine.

Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR ADMISSION NO. 47:

Admit that the ROWENA LOFTS COMMUNITY is subject to the DAVIS-STIRLING ACT.

RESPONSE TO REQUEST FOR ADMISSION NO. 47:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for a legal conclusion. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Deny.

REQUEST FOR ADMISSION NO. 48:

Admit that on and after February 16, 2018, YOU did not comply with the NOTICE TO THE OWNER, sent by registered mail, return receipt requested, to Skyler Wells.

RESPONSE TO REQUEST FOR ADMISSION NO. 48:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for a legal conclusion. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. Accordingly, Responding Party cannot respond to this request as phrased.

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REQUEST FOR ADMISSION NO. 49:

Admit that on or before June 10, 2022, YOU did not comply with the PREREQUISITE TO ENFORCE THE CC&Rs, delivered by certified mail to Skyler Wells, prior to filing the CROSSCOMPLAINT.

RESPONSE TO REQUEST FOR ADMISSION NO. 49:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for a legal conclusion. This request calls for information protected by the attorney-client privilege and/or the work product doctrine.

Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR ADMISSION NO. 50:

Admit that on or before August 1, 2022, YOU did not comply with the PREREQUISITE TO ENFORCE THE CC&Rs, delivered by certified mail to Skyler Wells, prior to filing the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 50:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for a legal conclusion. This request calls for information protected by the attorney-client privilege and/or the work product doctrine.

Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR ADMISSION NO. 51:

Admit that on and after February 16, 2018, YOU did not send any written correspondence, with copies of all invoices and/or proposals, regarding LEVY ASSESSMENTS to Skyler Wells.

RESPONSE TO REQUEST FOR ADMISSION NO. 51:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for a legal conclusion. This request lacks foundation. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR ADMISSION NO. 52:

Admit that between January 2013 and October 16, 2019, Skyler Wells purchased and planted all Euphorbia cacti on LOT 1.

RESPONSE TO REQUEST FOR ADMISSION NO. 52:

Objection. This request calls for speculation and lacks foundation. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 53:

Admit that YOU hired, directly or indirectly, the landscaping contractor for the CACTUS PROPERTY LOSS.

RESPONSE TO REQUEST FOR ADMISSION NO. 53:

Objection. This request calls for speculation and lacks foundation. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

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REQUEST FOR ADMISSION NO. 54:

Admit that the CACTUS PROPERTY LOSS EMAIL was not sent to any OWNER, other than YOU.

RESPONSE TO REQUEST FOR ADMISSION NO. 54:

Objection. This request calls for speculation and lacks foundation. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 55:

Admit that the CACTUS PROPERTY LOSS EMAIL was sent to YOU because YOU were one (1) of two (2) RESPONSIBLE OWNERS on October 22, 2019.

RESPONSE TO REQUEST FOR ADMISSION NO. 55:

Objection. This request calls for speculation and lacks foundation. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 56:

Admit that the CACTUS PROPERTY LOSS EMAIL was sent by Skyler Wells in a state of distress due to the CACTUS PROPERTY LOSS.

RESPONSE TO REQUEST FOR ADMISSION NO. 56:

Objection. This request calls for speculation and lacks foundation. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

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REQUEST FOR ADMISSION NO. 57:

Admit that on and after February 16, 2018, Skyler Wells did not interfere with YOUR preservation, operation, maintenance, management, repair, replacement, and improvement of the EASEMENT MAINTENANCE AREAS.

RESPONSE TO REQUEST FOR ADMISSION NO. 57:

Objection. This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague and ambiguous as to the term “interfere.” Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Deny.

REQUEST FOR ADMISSION NO. 58:

Admit that on and after February 16, 2018, YOU did not preserve, operate, maintain, manage, repair, replace, and improve the EASEMENT MAINTENANCE AREAS.

RESPONSE TO REQUEST FOR ADMISSION NO. 58:

Objection. This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague and ambiguous as to the term “preserve, operate, maintain, manage, repair, replace, and improve.” Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Deny.

REQUEST FOR ADMISSION NO. 59:

Admit that on and after February 16, 2018, YOU did not comply with the RESERVE STUDY REQUIRED.

RESPONSE TO REQUEST FOR ADMISSION NO. 59:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). This request calls for legal

1 conclusion(s). This request lacks foundation and assumes facts. This request seeks information
2 protected by the attorney-client privilege, the attorney work-product doctrine and prepared in
3 anticipation of litigation. Subject to and without waiving the foregoing objections, Responding
4 Party responds as follows:

5 Responding Party denies a “reserve study” was required as defined by Plaintiff.

6 **REQUEST FOR ADMISSION NO. 60:**

7 Admit that on and after February 16, 2018, YOU did not comply with the DUTY TO
8 LEVY ASSESSMENTS.

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 60:**

10 Objection. This request is improper because is not full and complete in and of itself, in
11 contravention of Code of Civil Procedure section 2033.060(d). This request calls for legal
12 conclusion(s). This request lacks foundation and assumes facts. This request seeks information
13 protected by the attorney-client privilege, the attorney work-product doctrine and prepared in
14 anticipation of litigation. Subject to and without waiving the foregoing objections, Responding
15 Party responds as follows:

16 Responding Party denies he had a “duty” to “levy assessments,” as defined by Plaintiff.

17 **REQUEST FOR ADMISSION NO. 61:**

18 Admit that on and after February 16, 2018, YOU did not comply with the HOA AND
19 OWNER MAINTENANCE RESPONSIBILITIES.

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 61:**

21 Objection. This request is improper because is not full and complete in and of itself, in
22 contravention of Code of Civil Procedure section 2033.060(d). This request calls for legal
23 conclusion(s). This request lacks foundation and assumes facts. This request seeks information
24 protected by the attorney-client privilege, the attorney work-product doctrine and prepared in
25 anticipation of litigation. Subject to and without waiving the foregoing objections, Responding
26 Party responds as follows:

27 Responding Party denies it had a duty to “HOA maintenance responsibilities” as defined
28 by Plaintiff.

REQUEST FOR ADMISSION NO. 62:

Admit that between March 2018 and December 16, 2020, Skyler Wells did not interfere with YOUR inspection, preservation, operation, maintenance, management, repair, replacement, and improvement of the SEWER LINES EASEMENT, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 62:

Objection. This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague and ambiguous as to the term “inspection, preservation, operation, maintenance, management, repair, replacement, and improvement.”

Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Deny.

REQUEST FOR ADMISSION NO. 63:

Admit that between March 2018 and the present date, Skyler Wells did not interfere with YOUR inspection, preservation, operation, maintenance, management, repair, replacement, and improvement of the SEWER LINES EASEMENT, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 63:

Objection. This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request is vague and ambiguous as to the term “inspection, preservation, operation, maintenance, management, repair, replacement, and improvement.”

Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Deny.

REQUEST FOR ADMISSION NO. 64:

Admit that between March 2018 and December 16, 2020, YOU did not inspect, preserve, operate, maintain, manage, repair, replace, and improve the SEWER LINES EASEMENT on LOT

RESPONSE TO REQUEST FOR ADMISSION NO. 64:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). This request is compound. This request lacks foundation and assumes facts. This request calls for legal conclusion(s). Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party denies the sewer lines required maintenance prior to December 16, 2020, or that Responding Party had any knowledge of the need for any such maintenance.

REQUEST FOR ADMISSION NO. 65:

Admit that between March 2018 and December 16, 2020, YOU did not inspect with a camera, snake, waterjet, and repair the SEWER LINES EASEMENT on LOT 1.

RESPONSE TO REQUEST FOR ADMISSION NO. 65:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). This request is compound. This request lacks foundation and assumes facts. This request calls for legal conclusion(s). Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party denies the sewer lines required maintenance prior to December 16, 2020, or that Responding Party had any knowledge of the need for any such maintenance.

REQUEST FOR ADMISSION NO. 66:

Admit that between March 2018 and December 16, 2020, YOU deferred inspection and maintenance of the SEWER LINES EASEMENT on LOT 1.

RESPONSE TO REQUEST FOR ADMISSION NO. 66:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). This request is compound. This request lacks foundation and assumes facts. This request calls for legal conclusion(s). Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party denies the sewer lines required maintenance prior to December 16, 2020, or that Responding Party had any knowledge of the need for any such maintenance.

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REQUEST FOR ADMISSION NO. 67:

Admit that on or after December 17, 2020, YOU did not waterjet the SEWER LINES EASEMENT on LOT 1.

RESPONSE TO REQUEST FOR ADMISSION NO. 67:

Objection. This request calls for speculation and lacks foundation. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 68:

Admit that on or after December 17, 2020, YOU did not repair the SEWER LINES EASEMENT on LOT 1.

RESPONSE TO REQUEST FOR ADMISSION NO. 68:

Deny.

REQUEST FOR ADMISSION NO. 69:

Admit that between December 17, 2020 and December 30, 2020, YOU did not clean up feces, urine, and used toilet paper on the EASEMENT MAINTENANCE AREAS on LOT 1 resulting from the SEWER BLACKWATER PROPERTY LOSS.

RESPONSE TO REQUEST FOR ADMISSION NO. 69:

Objection. This lacks foundation and assumes facts not in evidence. This request is compound. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party denies there was feces, urine, and used toilet paper that required "cleaning."

REQUEST FOR ADMISSION NO. 70:

Admit that between December 17, 2020 and December 30, 2020, Skyler Wells did clean up feces, urine, and used toilet paper on the EASEMENT MAINTENANCE AREAS on LOT 1 resulting from the SEWER BLACKWATER PROPERTY LOSS.

RESPONSE TO REQUEST FOR ADMISSION NO. 70:

Objection. This lacks foundation and assumes facts not in evidence. This request is compound. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party denies there was feces, urine, and used toilet paper that required “cleaning.”

REQUEST FOR ADMISSION NO. 71:

Admit that the SEWAGE DEBRIS INCIDENT was intentional.

RESPONSE TO REQUEST FOR ADMISSION NO. 71:

Deny.

REQUEST FOR ADMISSION NO. 72:

Admit that on or after December 17, 2020, YOU did not request access to inspect the interior of the home on LOT 1 due to the SEWER BLACKWATER PROPERTY LOSS.

RESPONSE TO REQUEST FOR ADMISSION NO. 72:

Objection. This lacks foundation and assumes facts not in evidence. This request is compound. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party denies Plaintiff ever requested an inspection or permitted any such inspection.

REQUEST FOR ADMISSION NO. 73:

Admit that the SEWER BLACKWATER PROPERTY LOSS EMAILS were not sent to any OWNER, other than YOU.

RESPONSE TO REQUEST FOR ADMISSION NO. 73:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 74:

Admit that the SEWER BLACKWATER PROPERTY LOSS EMAILS were sent to

YOU because YOU were one (1) of two (2) RESPONSIBLE OWNERS on December 17, 2020 through December 28, 2020.

RESPONSE TO REQUEST FOR ADMISSION NO. 74:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 75:

Admit that the SEWER BLACKWATER PROPERTY LOSS EMAILS were sent by Skyler Wells in a state of distress due to the SEWER BLACKWATER PROPERTY LOSS.

RESPONSE TO REQUEST FOR ADMISSION NO. 75:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 76:

Admit that the TRASH INCIDENT occurred on a walkway easement on LOT 1 and a driveway easement on LOT 6 only.

RESPONSE TO REQUEST FOR ADMISSION NO. 76:

Objection. This request calls for speculation and lacks foundation. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party denies there was a "TRASH SYSTEM LOSS" that forms of the basis of the "TRASH INCIDENT," as defined by Plaintiff.

REQUEST FOR ADMISSION NO. 77:

Admit that during the TRASH INCIDENT, trash only included 1) non-noxious sealed white trash bags, 2) flattened or empty cardboard boxes, and 3) packing materials such as packing paper.

RESPONSE TO REQUEST FOR ADMISSION NO. 77:

Objection. This request calls for speculation and lacks foundation. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

1 Responding Party denies there was a “TRASH SYSTEM LOSS” that forms of the basis
2 of the “TRASH INCIDENT,” as defined by Plaintiff.

3 **REQUEST FOR ADMISSION NO. 78:**

4 Admit that the TRASH INCIDENT duration was for up to three (3) hours total on a
5 walkway easement on LOT 1.

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 78:**

7 Objection. This request calls for speculation and lacks foundation. Subject to and without
8 waiving the foregoing objections, Responding Party responds as follows:

9 Responding Party denies there was a “TRASH SYSTEM LOSS” that forms of the basis
10 of the “TRASH INCIDENT,” as defined by Plaintiff.

11 **REQUEST FOR ADMISSION NO. 79:**

12 Admit that the TRASH INCIDENT duration was for up to fifteen (15) minutes total on a
13 driveway easement on LOT 6.

14 **RESPONSE TO REQUEST FOR ADMISSION NO. 79:**

15 Objection. This request calls for speculation and lacks foundation. Subject to and without
16 waiving the foregoing objections, Responding Party responds as follows:

17 Responding Party denies there was a “TRASH SYSTEM LOSS” that forms of the basis
18 of the “TRASH INCIDENT,” as defined by Plaintiff.

19 **REQUEST FOR ADMISSION NO. 80:**

20 Admit that during the TRASH INCIDENT, there was always a clear route, by path or
21 stairs, to walk through the walkway easement on LOT 1.

22 **RESPONSE TO REQUEST FOR ADMISSION NO. 80:**

23 Objection. This request calls for speculation and lacks foundation. Subject to and without
24 waiving the foregoing objections, Responding Party responds as follows:

25 Responding Party denies there was a “TRASH SYSTEM LOSS” that forms of the basis
26 of the “TRASH INCIDENT,” as defined by Plaintiff.

27 **REQUEST FOR ADMISSION NO. 81:**

28 Admit that during the TRASH INCIDENT, there was always a clear route to walk

1 through the driveway easement on LOT 6.

2 **RESPONSE TO REQUEST FOR ADMISSION NO. 81:**

3 Objection. This request calls for speculation and lacks foundation. Subject to and without
4 waiving the foregoing objections, Responding Party responds as follows:

5 Responding Party denies there was a “TRASH SYSTEM LOSS” that forms of the basis
6 of the “TRASH INCIDENT,” as defined by Plaintiff.

7 **REQUEST FOR ADMISSION NO. 82:**

8 Admit that on and after February 16, 2018, Skyler Wells did not interfere with YOUR
9 inspection, preservation, operation, maintenance, management, repair, and replacement of the
10 TRASH ROOM EASEMENT, as alleged in the FACC.

11 **RESPONSE TO REQUEST FOR ADMISSION NO. 82:**

12 Objection. This request calls for speculation and lacks foundation. This request is
13 compound. This request is vague and ambiguous as to the term “inspection, preservation,
14 operation, maintenance, management, repair, and replacement.” Subject to and without waiving
15 the foregoing objections, Responding Party responds as follows:

16 Deny.

17 **REQUEST FOR ADMISSION NO. 83:**

18 Admit that on and after February 16, 2018, Skyler Wells properly placed non-noxious
19 sealed white trash bags and flattened cardboard boxes inside the TRASH ROOM EASEMENT,
20 excluding the TRASH INCIDENT.

21 **RESPONSE TO REQUEST FOR ADMISSION NO. 83:**

22 Objection. This request calls for speculation and lacks foundation. This request is
23 compound. Subject to and without waiving the foregoing objections, Responding Party responds
24 as follows:

25 Deny.

26 **REQUEST FOR ADMISSION NO. 84:**

27 Admit that on and after December 17, 2020, LOT 1 is toxic due the SEWER
28 BLACKWATER PROPERTY LOSS.

RESPONSE TO REQUEST FOR ADMISSION NO. 84:

Objection. This request calls for speculation and lacks foundation. This request calls for the premature disclosure of expert opinion(s). The request is vague and ambiguous as to the term “toxic.” Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Deny.

REQUEST FOR ADMISSION NO. 85:

Admit that on and after December 17, 2020, the home on LOT 1 is toxic due the SEWER BLACKWATER PROPERTY LOSS.

RESPONSE TO REQUEST FOR ADMISSION NO. 85:

Objection. This request calls for speculation and lacks foundation. This request calls for the premature disclosure of expert opinion(s). The request is vague and ambiguous as to the term “toxic.” Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Deny.

REQUEST FOR ADMISSION NO. 86:

Admit that on and after December 17, 2020, YOU did not compensate Skyler Wells for the cost to remediate & repair LOT 1 due the SEWER BLACKWATER PROPERTY LOSS.

RESPONSE TO REQUEST FOR ADMISSION NO. 86:

Responding Party denies ever receiving a request for compensation for remediation costs, or whether Plaintiff performed any remediation at all. Regardless, Responding Party offered, through counsel, to mediate Plaintiff’s dispute as it pertained to the sewer line.

REQUEST FOR ADMISSION NO. 87:

Admit that on and after December 17, 2020, Skyler Wells did not remediate & repair LOT 1 due the SEWER BLACKWATER PROPERTY LOSS.

RESPONSE TO REQUEST FOR ADMISSION NO. 87:

Objection. This request calls for speculation and lacks foundation. This request calls for the premature disclosure of expert opinion(s). The request is vague and ambiguous as to the term

1 “remediate & repair.” This request is compound. Subject to and without waiving the foregoing
2 objections, Responding Party responds as follows:

3 After a reasonable inquiry, Responding Party lacks sufficient information or knowledge
4 based on information known to or readily obtainable to Responding Party to admit or deny this
5 request.

6 **REQUEST FOR ADMISSION NO. 88:**

7 Admit that between January 1, 2013 and January 1, 2021, Skyler Wells timely paid all
8 mortgage loan payments for LOT 1.

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 88:**

10 Objection. This request calls for speculation and lacks foundation. This request is unduly
11 burdensome because it calls for information equally or better known to Plaintiff. Subject to and
12 without waiving the foregoing objections, Responding Party responds as follows:

13 After a reasonable inquiry, Responding Party lacks sufficient information or knowledge
14 based on information known to or readily obtainable to Responding Party to admit or deny this
15 request.

16 **REQUEST FOR ADMISSION NO. 89:**

17 Admit that between February 1, 2021 and October 1, 2024, Skyler Wells defaulted on all
18 mortgage loan payments for LOT 1 due the SEWER BLACKWATER PROPERTY LOSS.

19 **RESPONSE TO REQUEST FOR ADMISSION NO. 89:**

20 Objection. This request calls for speculation and lacks foundation. This request is unduly
21 burdensome because it calls for information equally or better known to Plaintiff. This request
22 calls for information protected by the attorney-client privilege and/or the work product doctrine.
23 This request calls for legal conclusion(s). Subject to and without waiving the foregoing
24 objections, Responding Party responds as follows:

25 Deny.

26 **REQUEST FOR ADMISSION NO. 90:**

27 Admit that LOT 1 was noticed for foreclosure in February 2024.

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RESPONSE TO REQUEST FOR ADMISSION NO. 90:

Objection. This request calls for speculation and lacks foundation. This request is unduly burdensome because it calls for information equally or better known to Plaintiff. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 91:

Admit that LOT 1 was sold at foreclosure public auction on October 3, 2024.

RESPONSE TO REQUEST FOR ADMISSION NO. 91:

Admit.

REQUEST FOR ADMISSION NO. 92:

Admit that Skyler Wells received \$0 from the sale of LOT 1 at foreclosure public auction on October 3, 2024.

RESPONSE TO REQUEST FOR ADMISSION NO. 92:

Objection. This request calls for speculation and lacks foundation. This request is unduly burdensome because it calls for information equally or better known to Plaintiff. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 93:

Admit that Skyler Wells lost 100% of his investment in LOT 1 between 2012 and 2024 due to the FORECLOSURE PROPERTY LOSS.

RESPONSE TO REQUEST FOR ADMISSION NO. 93:

Objection. This request calls for speculation and lacks foundation. This request is unduly burdensome because it calls for information equally or better known to Plaintiff. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

1 After a reasonable inquiry, Responding Party lacks sufficient information or knowledge
2 based on information known to or readily obtainable to Responding Party to admit or deny this
3 request.

4 **REQUEST FOR ADMISSION NO. 94:**

5 Admit that the FORECLOSURE PROPERTY LOSS was caused by the SEWER
6 BLACKWATER PROPERTY LOSS.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 94:**

8 Objection. This request calls for speculation and lacks foundation. This request is unduly
9 burdensome because it calls for information equally or better known to Plaintiff. This request
10 calls for information protected by the attorney-client privilege and/or the work product doctrine.
11 This request calls for legal conclusion(s). Subject to and without waiving the foregoing
12 objections, Responding Party responds as follows:

13 Deny.

14 **REQUEST FOR ADMISSION NO. 95:**

15 Admit that on June 10, 2022 when the CROSS-COMPLAINT was filed, Martin Park was
16 the only OWNER that was also a party in LASC Case No. BS162671.

17 **RESPONSE TO REQUEST FOR ADMISSION NO. 95:**

18 Objection. Responding Party objects to this request on the grounds that it is vague and
19 overbroad as to time and scope, seeks information not relevant to the subject matter of this
20 litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This
21 request is overly burdensome as it calls for information equally available to Plaintiff. Subject to
22 and without waiving the foregoing objections, Responding Party responds as follows:

23 Admit.

24 **REQUEST FOR ADMISSION NO. 96:**

25 Admit that David Schiamberg and Marilyn Schiamberg were not parties in LASC Case
26 No. BS162671.

27 **RESPONSE TO REQUEST FOR ADMISSION NO. 96:**

28 Objection. Responding Party objects to this request on the grounds that it is vague and

1 overbroad as to time and scope, seeks information not relevant to the subject matter of this
2 litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This
3 request is overly burdensome as it calls for information equally available to Plaintiff. Subject to
4 and without waiving the foregoing objections, Responding Party responds as follows:

5 Admit.

6 **REQUEST FOR ADMISSION NO. 97:**

7 Admit that the 2016 JUDGMENT does not order Skyler Wells to restore any common
8 areas to their previous condition, but instead orders Owners collectively, or a majority of
9 Owners, or Owners excluding Skyler Wells, to restore common areas.

10 **RESPONSE TO REQUEST FOR ADMISSION NO. 97:**

11 Objection. Responding Party objects to this request on the grounds that it is vague and
12 overbroad as to time and scope, seeks information not relevant to the subject matter of this
13 litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This
14 request is compound. This request is vague and ambiguous as to the term “restore.” This request
15 calls for a legal conclusion. This request calls for information protected by the attorney-client
16 privilege and/or the work product doctrine. Accordingly, Responding Party cannot respond to
17 this request as phrased.

18 **REQUEST FOR ADMISSION NO. 98:**

19 Admit that between September 30, 2016 and the present date, Owners collectively, or a
20 majority of Owners, or Owners excluding Skyler Wells, have not restored common areas
21 pursuant to the 2016 JUDGMENT.

22 **RESPONSE TO REQUEST FOR ADMISSION NO. 98:**

23 Objection. Responding Party objects to this request on the grounds that it is vague and
24 overbroad as to time and scope, seeks information not relevant to the subject matter of this
25 litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This
26 request is compound. This request is vague and ambiguous as to the term “restore.” This request
27 calls for a legal conclusion. This request calls for information protected by the attorney-client
28

1 privilege and/or the work product doctrine. Accordingly, Responding Party cannot respond to
2 this request as phrased.

3 **REQUEST FOR ADMISSION NO. 99:**

4 Admit that the VARIOUS TOPICS LETTER was not hand-delivered to YOU.

5 **RESPONSE TO REQUEST FOR ADMISSION NO. 99:**

6 Objection. Responding Party objects to this request on the grounds that it is vague and
7 overbroad as to time and scope, seeks information not relevant to the subject matter of this
8 litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This
9 request is compound. This request is vague and ambiguous as to the term “hand-delivered.”
10 Accordingly, Responding Party cannot respond to this request as phrased.

11 **REQUEST FOR ADMISSION NO. 100:**

12 Admit that the VARIOUS TOPICS LETTER was not hand-delivered to any OWNER,
13 other than Martin Park.

14 **RESPONSE TO REQUEST FOR ADMISSION NO. 100:**

15 Objection. Responding Party objects to this request on the grounds that it is vague and
16 overbroad as to time and scope, seeks information not relevant to the subject matter of this
17 litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This
18 request is compound. This request is vague and ambiguous as to the term “hand-delivered.” This
19 request calls for speculation and lacks foundation. Accordingly, Responding Party cannot
20 respond to this request as phrased.

21 **REQUEST FOR ADMISSION NO. 101:**

22 Admit that the VARIOUS TOPICS LETTER is time-barred for all causes of action in all
23 pleadings.

24 **RESPONSE TO REQUEST FOR ADMISSION NO. 101:**

25 Objection. Responding Party objects to this request on the grounds that it is vague and
26 overbroad as to time and scope, seeks information not relevant to the subject matter of this
27 litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This
28 request is compound. This request is vague and ambiguous as to the term “time-barred.” This

request calls for speculation and lacks foundation. This request calls for a legal conclusion. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. Accordingly, Responding Party cannot respond to this request as phrased. Accordingly, Responding Party cannot respond to this request as phrased.

REQUEST FOR ADMISSION NO. 102:

Admit that the allegations in the FACC for the premises liability claim stem from the TRASH INCIDENT only.

RESPONSE TO REQUEST FOR ADMISSION NO. 102:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for a legal conclusion. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Deny.

REQUEST FOR ADMISSION NO. 103:

Admit that on or after February 16, 2018, YOU did not suffer a tangible physical injury on LOT 1.

RESPONSE TO REQUEST FOR ADMISSION NO. 103:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for a legal conclusion. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Admit.

REQUEST FOR ADMISSION NO. 104:

Admit that on or after February 16, 2018, YOU did not suffer a tangible physical injury in the ROWENA LOFTS COMMUNITY.

RESPONSE TO REQUEST FOR ADMISSION NO. 104:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for a legal conclusion. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Admit.

REQUEST FOR ADMISSION NO. 105:

Admit that on or after February 16, 2018, YOU did not suffer emotional distress caused by Skyler Wells, as alleged in the FACC for the premises liability claim.

RESPONSE TO REQUEST FOR ADMISSION NO. 105:

Deny.

REQUEST FOR ADMISSION NO. 106:

Admit that on or after February 16, 2018, YOU did not incur expenses caused by Skyler Wells, as alleged in the FACC for the premises liability claim.

RESPONSE TO REQUEST FOR ADMISSION NO. 106:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for a legal conclusion. This request calls for information protected by the attorney-client privilege and/or the work product doctrine. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

1 Deny.

2 **REQUEST FOR ADMISSION NO. 107:**

3 Admit that the allegations in the FACC for the Private Nuisance claim stem from the
4 TRASH INCIDENT only.

5 **RESPONSE TO REQUEST FOR ADMISSION NO. 107:**

6 Objection. This request is improper because is not full and complete in and of itself, in
7 contravention of Code of Civil Procedure section 2033.060(d). Responding Party objects to this
8 request on the grounds that it is vague and overbroad as to time and scope, seeks information not
9 relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the
10 discovery of admissible evidence. This request calls for a legal conclusion. This request calls for
11 information protected by the attorney-client privilege and/or the work product doctrine. Subject
12 to and without waiving the foregoing objections, Responding Party responds as follows:

13 Deny.

14 **REQUEST FOR ADMISSION NO. 108:**

15 Admit that YOU and Skyler wells have never interacted in person in the ROWENA
16 LOFTS COMMUNITY.

17 **RESPONSE TO REQUEST FOR ADMISSION NO. 108:**

18 Objection. This request is improper because is not full and complete in and of itself, in
19 contravention of Code of Civil Procedure section 2033.060(d). Responding Party objects to this
20 request on the grounds that it is vague and overbroad as to time and scope, seeks information not
21 relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the
22 discovery of admissible evidence. Subject to and without waiving the foregoing objections,
23 Responding Party responds as follows:

24 Admit.

25 **REQUEST FOR ADMISSION NO. 109:**

26 Admit that any OWNER, excluding YOU, and Skyler Wells have never interacted in
27 person in the ROWENA LOFTS COMMUNITY.

28 ///

RESPONSE TO REQUEST FOR ADMISSION NO. 109:

Objection. This request is improper because is not full and complete in and of itself, in contravention of Code of Civil Procedure section 2033.060(d). Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 110:

Admit that Skyler Wells did not smash glass bottles in the ROWENA LOFTS COMMUNITY, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 110:

Deny.

REQUEST FOR ADMISSION NO. 111:

Admit that Skyler Wells did not throw obstacles in the ROWENA LOFTS COMMUNITY, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 111:

Deny.

REQUEST FOR ADMISSION NO. 112:

Admit that Skyler Wells did not smash or damage cameras in the ROWENA LOFTS COMMUNITY, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 112:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

///

REQUEST FOR ADMISSION NO. 113:

Admit that Skyler Wells did not smash or damage security cameras in the ROWENA LOFTS COMMUNITY, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 113:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 114:

Admit that Skyler Wells did not smash or damage phones in the ROWENA LOFTS COMMUNITY, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 114:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 115:

Admit that Skyler Wells did not hold a baseball bat in the ROWENA LOFTS COMMUNITY, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 115:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 116:

Admit that Skyler Wells did not hold a gun or stun gun in the ROWENA LOFTS COMMUNITY, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 116:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this.

///

REQUEST FOR ADMISSION NO. 117:

Admit that Skyler Wells did not place rotting trash or rotting refuse on LOT 1, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 117:

Deny.

REQUEST FOR ADMISSION NO. 118:

Admit that Skyler Wells did not place rotting trash or rotting refuse in the ROWENA LOFTS COMMUNITY, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 118:

Deny.

REQUEST FOR ADMISSION NO. 119:

Admit that on or after February 16, 2018, Skyler Wells did not obstruct YOUR free access to YOUR lot, LOT 4, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 119:

Deny.

REQUEST FOR ADMISSION NO. 120:

Admit that on or after February 16, 2018, Skyler Wells did not obstruct YOUR free access to the EASEMENT MAINTENANCE AREAS or EASEMENTS, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 120:

Deny.

REQUEST FOR ADMISSION NO. 121:

Admit that on or after February 16, 2018, Skyler Wells did not interfere with YOUR inspection, preservation, operation, maintenance, management, repair, and replacement on YOUR lot, LOT 4, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 121:

Deny.

///

REQUEST FOR ADMISSION NO. 122:

Admit that on or after February 16, 2018, YOU did not have diminution or loss in the value of YOUR real property, LOT 4, caused by Skyler Wells, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 122:

Objection. This request calls for speculation and lacks foundation. This request calls for the premature disclosure of expert opinion(s). The request is vague and ambiguous as to the term “diminution or loss in the value.” Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 123:

Admit that on or after February 16, 2018, YOU did not have loss of comfortable or quiet enjoyment of life and property on YOUR lot, LOT 4, caused by Skyler Wells, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 123:

Deny.

REQUEST FOR ADMISSION NO. 124:

Admit that on or after February 16, 2018, YOU did not suffer emotional distress caused by Skyler Wells, alleged in the FACC for the nuisance claim.

RESPONSE TO REQUEST FOR ADMISSION NO. 124:

Deny.

REQUEST FOR ADMISSION NO. 125:

Admit that on or after February 16, 2018, YOU did not incur expenses caused by Skyler Wells, as alleged in the FACC for the nuisance claim.

RESPONSE TO REQUEST FOR ADMISSION NO. 125:

Deny.

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REQUEST FOR ADMISSION NO. 126:

Admit that on or after February 16, 2018, Skyler Wells did not obstruct any OWNER, excluding YOU, free access to their lot, LOT 2, LOT 3, LOT 5, or LOT 6, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 126:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 127:

Admit that on or after February 16, 2018, Skyler Wells did not obstruct any OWNER, excluding YOU, free access to the EASEMENT MAINTENANCE AREAS or EASEMENTS, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 127:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 128:

Admit that on or after February 16, 2018, Skyler Wells did not interfere with any OWNER, excluding YOU, inspection, preservation, operation, maintenance, management, repair, and replacement on their lot, LOT 2, LOT 3, LOT 5, or LOT 6, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 128:

Objection. This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party further objects to this request on the grounds this request calls for a legal conclusion. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge

1 based on information known to or readily obtainable to Responding Party to admit or deny this
2 request.

3 **REQUEST FOR ADMISSION NO. 129:**

4 Admit that on or after February 16, 2018, any OWNER, excluding YOU, did not have
5 diminuation or loss in the value of their real property, LOT 2, LOT 3, LOT 5, or LOT 6, caused
6 by Skyler Wells, as alleged in the FACC.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 129:**

8 Objection. This request is compound. Responding Party objects to this request on the
9 grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the
10 subject matter of this litigation, and is not reasonably calculated to lead to the discovery of
11 admissible evidence. This request calls for the premature disclosure of expert opinion(s).

12 Responding Party further objects to this request on the grounds this request calls for a legal
13 conclusion. Subject to and without waiving the foregoing objections, Responding Party responds
14 as follows:

15 After a reasonable inquiry, Responding Party lacks sufficient information or knowledge
16 based on information known to or readily obtainable to Responding Party to admit or deny this
17 request.

18 **REQUEST FOR ADMISSION NO. 130:**

19 Admit that on or after February 16, 2018, any OWNER, excluding YOU, did not have
20 loss of comfortable or quiet enjoyment of life and property on their lot, LOT 2, LOT 3, LOT 5,
21 or LOT 6, caused by Skyler Wells, as alleged in the FACC.

22 **RESPONSE TO REQUEST FOR ADMISSION NO. 130:**

23 Objection. This request is compound. Responding Party objects to this request on the
24 grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the
25 subject matter of this litigation, and is not reasonably calculated to lead to the discovery of
26 admissible evidence. This request calls for the premature disclosure of expert opinion(s).

27 Responding Party further objects to this request on the grounds this request calls for a legal
28 conclusion. Subject to and without waiving the foregoing objections, Responding Party responds

as follows:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 131:

Admit that on or after February 16, 2018, any OWNER, excluding YOU, did not suffer emotional distress caused by Skyler Wells, alleged in the FACC for the nuisance claim.

RESPONSE TO REQUEST FOR ADMISSION NO. 131:

Objection. This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for the premature disclosure of expert opinion(s).

Responding Party further objects to this request on the grounds this request calls for a legal conclusion. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 132:

Admit that on or after February 16, 2018, any OWNER, excluding YOU, did not incur expenses caused by Skyler Wells, as alleged in the FACC for the nuisance claim.

RESPONSE TO REQUEST FOR ADMISSION NO. 132:

Objection. This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for the premature disclosure of expert opinion(s).

Responding Party further objects to this request on the grounds this request calls for a legal conclusion. Subject to and without waiving the foregoing objections, Responding Party responds

as follows:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 133:

Admit that on or after February 16, 2018, Skyler Wells did not alter or remove the ADDRESS RANGE SIGN EASEMENT, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 133:

Objection. This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for the premature disclosure of expert opinion(s).

Responding Party further objects to this request on the grounds this request calls for a legal conclusion. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 134:

Admit that on or after February 16, 2018, Skyler Wells did not alter, destroy, or remove the LANDSCAPING EASEMENT, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 134:

Objection. This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for the premature disclosure of expert opinion(s).

Responding Party further objects to this request on the grounds this request calls for a legal conclusion. Subject to and without waiving the foregoing objections, Responding Party responds

as follows:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 135:

Admit that an irrigation system easement on LOT 1 is not defined in the CC&Rs.

RESPONSE TO REQUEST FOR ADMISSION NO. 135:

Objection. This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for the premature disclosure of expert opinion(s).

Responding Party further objects to this request on the grounds this request calls for a legal conclusion. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Deny.

REQUEST FOR ADMISSION NO. 136:

Admit that an irrigation system easement in the ROWENA LOFTS COMMUNITY is not defined in the CC&Rs.

RESPONSE TO REQUEST FOR ADMISSION NO. 136:

Objection. This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for the premature disclosure of expert opinion(s).

Responding Party further objects to this request on the grounds this request calls for a legal conclusion. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Deny.

///

REQUEST FOR ADMISSION NO. 137:

Admit that on or after February 16, 2018, Skyler Wells did not alter, destroy, or remove an irrigation system easement, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 137:

Objection. This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. This request calls for the premature disclosure of expert opinion(s). Responding Party further objects to this request on the grounds this request calls for a legal conclusion. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 138:

Admit that on and after February 16, 2018, Skyler Wells purchased and installed the DROUGHT TOLERANT LANDSCAPING.

RESPONSE TO REQUEST FOR ADMISSION NO. 138:

After a reasonable inquiry, Responding Party lacks sufficient information or knowledge based on information known to or readily obtainable to Responding Party to admit or deny this request.

REQUEST FOR ADMISSION NO. 139:

Admit that on and after February 16, 2018, YOU did not purchase and install the DROUGHT TOLERANT LANDSCAPING.

RESPONSE TO REQUEST FOR ADMISSION NO. 139:

Admit.

REQUEST FOR ADMISSION NO. 140:

Admit that on and after February 16, 2018, Skyler Wells purchased and installed the

1 DRIP IRRIGATION SYSTEM.

2 **RESPONSE TO REQUEST FOR ADMISSION NO. 140:**

3 After a reasonable inquiry, Responding Party lacks sufficient information or knowledge
4 based on information known to or readily obtainable to Responding Party to admit or deny this
5 request.

6 **REQUEST FOR ADMISSION NO. 141:**

7 Admit that on and after February 16, 2018, YOU did not purchase and install the DRIP
8 IRRIGATION SYSTEM.

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 141:**

10 Admit.

11 **REQUEST FOR ADMISSION NO. 142:**

12 Admit that on and after February 16, 2018, Skyler Wells did not seek to exert control of
13 any EASEMENT MAINTENANCE AREAS or EASEMENTS, as alleged in the FACC.

14 **RESPONSE TO REQUEST FOR ADMISSION NO. 142:**

15 Deny.

16 **REQUEST FOR ADMISSION NO. 143:**

17 Admit that on and after February 16, 2018, Skyler Wells did not seek to make decisions
18 which required majority consensus of the OWNERS, as alleged in the FACC.

19 **RESPONSE TO REQUEST FOR ADMISSION NO. 143:**

20 Deny.

21 **REQUEST FOR ADMISSION NO. 144:**

22 Admit that on and after February 16, 2018, Skyler Wells did not continuously and
23 repeatedly, with escalation, harass, annoy, disturb, intimidate, threaten in writing, verbally
24 threaten, threaten, threaten personally, threaten with destructive acts, threaten with violence,
25 threaten with potential harm, confront, dangerously confront, potentially violently confront,
26 harm, demonstrate belligerence, cause mayhem, demonstrate dangerous actions, demonstrate
27 dangerous activities, demonstrate dangerous acts, demonstrate threatening actions, demonstrate
28 threatening activities, demonstrate threatening acts, demonstrate menacing behavior, demonstrate

menacing acts, demonstrate erratic behavior, demonstrate destructive behavior, demonstrate destructive acts, demonstrate violence, demonstrate violent acts, and demonstrate violent actions toward YOU (including YOUR family, friends, and vendors), excluding the Cactus Property Loss Email and Sewer Blackwater Property Loss Emails, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 144:

Objection. This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party further objects to this request on the grounds this request calls for a legal conclusion. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Deny.

REQUEST FOR ADMISSION NO. 145:

Admit that on and after February 16, 2018, Skyler Wells did not continuously and repeatedly, with escalation, harass, annoy, disturb, intimidate, threaten in writing, verbally threaten, threaten, threaten personally, threaten with destructive acts, threaten with violence, threaten with potential harm, confront, dangerously confront, potentially violently confront, harm, demonstrate belligerence, cause mayhem, demonstrate dangerous actions, demonstrate dangerous activities, demonstrate dangerous acts, demonstrate threatening actions, demonstrate threatening activities, demonstrate threatening acts, demonstrate menacing behavior, demonstrate menacing acts, demonstrate erratic behavior, demonstrate destructive behavior, demonstrate destructive acts, demonstrate violence, demonstrate violent acts, and demonstrate violent actions toward any OWNER (including their family, friends, and vendors), excluding YOU, as alleged in the FACC.

RESPONSE TO REQUEST FOR ADMISSION NO. 145:

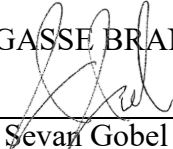
Objection. This request is compound. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of

1 admissible evidence. Responding Party further objects to this request on the grounds this request
2 calls for a legal conclusion. Subject to and without waiving the foregoing objections, Responding
3 Party responds as follows:

4 After a reasonable inquiry, Responding Party lacks sufficient information or knowledge
5 based on information known to or readily obtainable to Responding Party to admit or deny this
6 request.

7
8 Dated: December 26, 2024

LAGASSE BRANCH BELL + KINKEAD LLP

9 By: 
10 Sevan Gobel
11 Artin Avetisove
12 Attorneys for Defendants
13 Cameron Hopkins and Jay Dyckman
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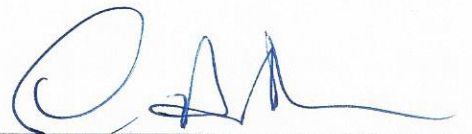
Case: Skyler Wells v. Cameron Hopkins, et al.
Case No.: 22STCV05843

VERIFICATION

I, Cameron Hopkins, declare:

I am the Defendant in the above-entitled action. I have read the foregoing
**DEFENDANT CAMERON HOPKINS' RESPONSE TO PLAINTIFF SKYLER
WELLS' REQUEST FOR ADMISSIONS, SET TWO**, on file herein and know the contents
thereof. To the extent I have personal knowledge of the matters set forth herein, the same are
true and correct. Insofar as said matters are a composite of the information of many
individuals, I do not have personal knowledge concerning all of the information contained in
said Response, but I am informed and believe that the information set forth therein for which I
lack personal knowledge is true and correct.

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct. Executed in Los Angeles, California on 24 day of December,
2024.


Cameron Hopkins

SUPERIOR COURT OF CALIFORNIA LOS ANGELES COUNTY	COURT USE ONLY
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): TELEPHONE NO.: Sevan Gobel (SBN: 221768) Tel: (213) 817-9152 Artin Avetisove (SBN: 258777) Jeffrey Y. Tsao (SBN: 294379) LAGASSE BRANCH BELL + KINKEAD LLP 626 Wilshire Blvd. Suite 1000 Los Angeles, CA 90017	
SHORT CASE TITLE Skyler Wells v. Cameron Hopkins, et al.	Judge: Hon. Wendy Chang Dept.: 36
ATTORNEY FOR DEFENDANTS: CAMERON HOPKINS AND JAY DYCKMAN	CASE NUMBER: 22STCV05843

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is 626 Wilshire Blvd, Suite 1000, Los Angeles, CA 90017.

On **December 26, 2024**, I caused to be served the within document(s):

- 1. DEFENDANT CAMERON HOPKINS' RESPONSE TO PLAINTIFF AND CROSS-DEFENDANT SKYLER WELLS' REQUEST FOR PRODUCTION OF DOCUMENTS, SET TWO**
- 2. DEFENDANT CAMERON HOPKINS'S RESPONSE TO PLAINTIFF SKYLER WELLS' SPECIAL INTERROGATORIES, SET ONE**
- 3. DEFENDANT CAMERON HOPKINS'S RESPONSE TO PLAINTIFF SKYLER WELLS' REQUEST FOR ADMISSIONS, SET TWO**
- 4. DEFENDANT CAMERON HOPKINS'S RESPONSE TO PLAINTIFF SKYLER WELLS' FORM INTERROGATORIES – GENERAL, SET TWO**
- 5. DEFENDANT JAY DYCKMAN'S RESPONSE TO PLAINTIFF SKYLER WELLS' FORM INTERROGATORIES – GENERAL, SET TWO**
- 6. DEFENDANT JAY DYCKMAN'S RESPONSE TO PLAINTIFF SKYLER WELLS' SPECIAL INTERROGATORIES, SET ONE**
- 7. DEFENDANT JAY DYCKMAN'S RESPONSE TO PLAINTIFF SKYLER WELLS' REQUEST FOR PRODUCTION OF DOCUMENTS, SET TWO**
- 8. DEFENDANT JAY DYCKMAN'S RESPONSE TO PLAINTIFF SKYLER WELLS' REQUEST FOR ADMISSIONS, SET TWO**

or each addressee named hereafter and addressed as follows:

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*Attorneys for Defendant/Cross-Complainant,
Cameron Hopkins, an Individual*

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***Attorneys for Cross-Defendants David
Schiamberg and Marilyn Schiamberg***

- (X) **ONLY BY ELECTRONIC TRANSMISSION.** Only by e-mailing the document(s) to the persons at the e-mail address(es) listed pursuant to Code of Civil Procedure section 1010.6. No electronic message or other indication that the transmission was unsuccessful was received within a reasonable time after the transmission.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
Executed on December 26, 2024, at San Diego, California.



Lisa Rodriguez

Document received by the CA 2nd District Court of Appeal.

Sevan Gobel (SBN: 221768)
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Attorneys for Defendants
Cameron Hopkins and Jay Dyckman

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

SKYLER WELLS,

Plaintiff,

vs.

CAMERON HOPKINS, an individual; and JAY
DYCKMAN, an individual,

Defendants.

CASE NO. 22STCV05843

**DEFENDANT CAMERON HOPKINS'S
RESPONSE TO PLAINTIFF SKYLER
WELLS' FORM INTERROGATORIES -
GENERAL, SET TWO**

Judge: Hon. Wendy Chang
Dept.: 36

Complaint filed: 02/16/2022
First Amended Complaint filed: 03/29/2022
Second Amended Complaint filed: 12/09/2022
Third Amended Complaint filed: 12/26/2023
Fourth Amended Complaint filed: 06/09/2023
Trial date: 3/28/2025

CAMERON HOPKINS, an individual,

Cross-Complainant,

vs.

SKYLER WELLS aka SKYLAR WELLS, an
individual; DAVID SCHIAMBERG, an
individual; MARILYN SCHIAMBERG, an
individual, and ROES 1-20

Cross-Defendants.

PROPOUNDING PARTY: Plaintiff SKYLER WELLS

RESPONDING PARTY: Defendant CAMERON HOPKINS

SET NO.: Two (2)

Defendant CAMERON HOPKINS (Responding Party or Defendants) responds to Plaintiff SKYLER WELLS' Form Interrogatories, Set Two, as follows:

RESPONSES TO FORM INTERROGATORIES

FORM INTERROGATORY NO. 1.1:

State the name, ADDRESS, telephone number, and relationship to you of each PERSON who prepared or assisted in the preparation of the responses to these interrogatories. (Do not identify anyone who simply typed or reproduced the responses.)

RESPONSE TO FORM INTERROGATORY NO. 1.1:

Sevan Gobel, Esq. and Artin Avetisove, Esq. of Lagasse Branch Bell + Kinkead, LLP, 626 Wilshire Boulevard, Suite 1000, Los Angeles, CA 90017.

FORM INTERROGATORY NO. 2.5:

State:

- (a) your present residence ADDRESS;
- (b) your residence ADDRESSES for the past five years; and
- (c) the dates you lived at each ADDRESS.

RESPONSE TO FORM INTERROGATORY NO. 2.5:

Objection. Responding Party objects to this request on the grounds that it is vague and overbroad as to time and scope, seeks information not relevant to the subject matter of this litigation, and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Responding Party responds as follows:

Responding Party may be contacted through defense counsel.

FORM INTERROGATORY NO. 17.1:

Is your response to each request for admission served with these interrogatories an unqualified admission? If not, for each response that is not an unqualified admission:

- (a) state the number of the request:

- 1 (b) state all facts upon which you base your response;
- 2 (c) state the names, ADDRESSES, and telephone numbers of all PERSONS who
- 3 have knowledge of those facts; and
- 4 (d) identify all DOCUMENTS and other tangible things that support your response
- 5 and state the name, ADDRESS, and telephone number of the PERSON who has each
- 6 DOCUMENT or thing.

7 **RESPONSE TO FORM INTERROGATORY NO. 17.1:**

- 8 (a) Request for Admission Nos. 16, 17, 18, 20;
- 9 (b) Responding Party contends the Lot 1 ownership agreement is not the sole legal
- 10 document that governs the ownership of Lot 1. Rather, upon information and belief,
- 11 there is an addendum to the purchase agreement identifying David Schiamberg and
- 12 Marilyn Schiamberg as owners. Likewise, upon information and belief, David
- 13 Schiamberg and Marilyn Schiamberg are listed as owners in the grant deed.
- 14 (c) Responding Party (contact through defense counsel only);
- 15 (d) Addendum to purchase agreement and grant deed.
- 16 (a) Request for Admission No. 25, 26;
- 17 (b) Responding Party occupied lot 4 between June 2018 and July 2020 and has recently
- 18 returned to occupy lot 4 as of August 2024. Responding Party occupied his Ventura
- 19 residence from July 2020 through August 2024;
- 20 (c) Responding Party (contact through defense counsel only);
- 21 (d) None;
- 22 (a) Request for Admission No. 32, 33;
- 23 (b) The definition of Collection Action refers to Section 4.5.2 of the CC&Rs which
- 24 pertains to water sub-meters. Sub-meters were never installed (there is one water for
- 25 the entire development) so this section is not applicable. Furthermore, legal expenses
- 26 are coverable pursuant to 2019 first amendment to the CC&Rs. Amendment Sections
- 27 3.4 and 9.4 provide for recovery of legal expenses. The definition of "Legal Expense
- 28 Recovery," as defined by Wells in his Requests for Admission, incorrectly cites

Section 9.4 of the original CC&Rs. The amendment allows Responsible Owners, acting as agent for the other owners, to pursue legal action and recover attorney's fees and costs;

(c) Responding Party (contact through defense counsel only);

(d) CC&Rs;

(a) Request for Admission Nos. 36, 37, 38, 39;

(b) Responding Party was elected as a responsible owner in or about October 2018. Jay Dyckman was elected as responsible owner in or about February 2020;

(c) Responding Party (contact through defense counsel only);

(d) None;

(a) Request for Admission No. 42;

(b) The obligations and responsibilities of the Responsible Owners is set forth in section 3.1 of the CC&R;

(c) Responding Party (contact through defense counsel only);

(d) CC&R;

(a) Request for Admission No. 43, 60;

(b) The financial responsibility for common area maintenance is governed by section 3.1 of the CC&R;

(c) Responding Party (contact through defense counsel only);

(d) CC&R;

(a) Request for Admission No. 47;

(b) The community consulted with legal counsel, who determined the community did not meet and requirements of a HOA under the Davis-Stirling Act;

(c) Responding Party (contact through defense counsel only);

(d) None;

(a) Request for Admission No. 52;

(b) Responding Party has no knowledge as to when Plaintiff purchased the cacti;

(c) None;

- 1 (d) None;
- 2 (a) Request for Admission No. 53;
- 3 (b) Responding Party has no knowledge as to whether any landscaping company
- 4 damaged Plaintiff's cacti in any way;
- 5 (c) None;
- 6 (d) None;
- 7 (a) Request for Admission No. 54, 55, 56;
- 8 (b) Responding Party admits the cactus e-mail was sent to Responding Party. However,
- 9 Responding Party has no knowledge whether said e-mail was sent to anyone else not
- 10 copied to the e-mail, Plaintiff's motivation for sending the e-mail, or Plaintiff's
- 11 mental state when sending the e-mail;
- 12 (c) Responding Party (contact through defense counsel only);
- 13 (d) None;
- 14 (a) Request for Admission No. 57;
- 15 (b) Plaintiff made constant threats to Responding Party and other property owners
- 16 throughout his residency, including threats regarding the maintenance of the common
- 17 areas;
- 18 (c) Responding Party (contact through defense counsel only);
- 19 (d) None;
- 20 (a) Request for Admission No. 58, 62, 63;
- 21 (b) Plaintiff regularly prevented access for purposes of inspection of the main sewer line
- 22 vis-à-vis written and verbal threats who maintained that Lot 1 was under his exclusive
- 23 control and that anyone who entered Lot 1 would be considered a trespasser. Other
- 24 maintenance/repairs, including, but not limited to: common area regular (2x month)
- 25 cleaning/gardening service including clearing of all debris in walkways, stairs and
- 26 driveway/parking areas; lighting upkeep and bulb replacement; powerwash walkway
- 27 and underground parking areas; fire extinguisher replacement; parking entry gate
- 28 maintenance; repairs to utility room door; trash room deep cleaning; replace dumpster

- 1 with city trash bins; general safety inspections;
- 2 (c) Responding Party (contact through defense counsel only);
- 3 (d) None;
- 4 (a) Request for Admission No. 59, 61;
- 5 (b) Plaintiff made constant threats to Responding Party and other property owners
- 6 throughout his residency, including threats regarding the maintenance of the common
- 7 areas;
- 8 (c) Responding Party (contact through defense counsel only);
- 9 (d) None;
- 10 (a) Request for Admission No. 63, 64, 65, 66;
- 11 (b) Responding Party had no reason to believe or information to suggest the sewer line
- 12 needed maintenance;
- 13 (c) Responding Party (contact through defense counsel only);
- 14 (d) None;
- 15 (a) Request for Admission No. 67, 69, 70, 71;
- 16 (b) Responding Party hired a sewer professional to inspect the sewer line. Responding
- 17 Party relied on the professional's expertise to conduct the necessary repairs and
- 18 maintenance. Responding Party does not have personal knowledge as to whether the
- 19 professional performed a "waterjet" or not. Furthermore, the sewer line backup did
- 20 not cause any debris to be ejected into the common area. There was minor back water
- 21 backup that was cleaned by the plumber and most of the remaining water evaporated
- 22 after a short duration;
- 23 (c) Responding Party (contact through defense counsel only);
- 24 (d) None.
- 25 (a) Request for Admission No. 68;
- 26 (b) A plumber was immediately called to repair the sewer line upon Responding Party
- 27 learning of the backup;
- 28 (c) Responding Party (contact through defense counsel only);

(d) None.

(a) Request for Admission No. 72;

(b) Plaintiff never requested an inspection of his property. Rather, Plaintiff simply requested a copy of the Rowena Loft's insurance policy and had a claim against his home insurance policy;

(c) Responding Party (contact through defense counsel only);

(d) None.

(a) Request for Admission 73, 74, 75;

(b) Responding Party admits the sewer loss e-mails were sent to Responding Party.

However, Responding Party has no personal knowledge as to whether to e-mails were sent to anyone else, Plaintiff's motivation for sending the e-mails to Responding Party, or Plaintiff's mental state while sending the e-mails;

(c) Responding Party (contact through defense counsel only);

(d) None.

(a) Request for Admission 76, 77, 78, 79, 80, 81;

(b) Responding Party denies there was a loss of trash bins as defined by Plaintiff as "Trash System Loss" that forms of the basis of Plaintiff's "Trash Incident";

(c) Responding Party (contact through defense counsel only);

(d) None.

(a) Request for Admission 82;

(b) Plaintiff regularly interfered with the use of the trash room by storing excessive trash and then dumping 30+ bags of trash in the trash room. As a result, Responsible Owners had to hire trash contractors on numerous occasions to haul away Plaintiff's excessive trash dumps;

(c) Responding Party (contact through defense counsel only);

(d) None.

(a) Request for Admission 83;

(b) Responding Party did not take an inventory of what articles of trash Plaintiff was

1 putting in the trash room and thus has no information as to the contents of Plaintiff's
2 trash;

3 (c) None;

4 (d) None.

5 (a) Request for Admission 84, 85, 86, 87;

6 (b) At no point was Responding Party made aware by any owners or the any
7 professionals that the minimal amount of water that released into the common areas
8 as a result of the sewer line was "toxic." Likewise, Plaintiff made no such claim.

9 Rather, Plaintiff told Responsible Owners and the property's management company
10 he would "financially destroy" the Responsible Owners through a lawsuit;

11 (c) Responding Party (contact through defense counsel only).

12 (d) Plaintiff's December 17, 2020 e-mail chain.

13 (a) Request for Admission 88;

14 (b) Responding Party has no personal knowledge as to Plaintiff's mortgage payments
15 between January 1, 2013 and January 1, 2021;

16 (c) Responding Party (contact through defense counsel only).

17 (d) Plaintiff's December 17, 2020 e-mail chain.

18 (a) Request for Admission No. 89, 94;

19 (b) Plaintiff claimed damages identical to the damages claimed in this case in Case No.
20 22STCV06421, purported as a result of certain construction defects and not the sewer
21 line. Moreover, Plaintiff claimed he stopped making mortgage payments, in part or in
22 whole, due to "COVID-19" financial hardships in Case No. 2:23-cv-04796-PA-JPR.
23 Furthermore, only a small portion measuring a few square feet of Plaintiff's property
24 was affected by the water from the damage to the sewage line. As such, Plaintiff had
25 no basis to withhold mortgage payments as a result of the sewer line damage;

26 (c) Responding Party (contact through defense counsel only).

27 (d) None.

28 (a) Request for Admission No. 90, 91, 92, 93;

- 1 (b) Responding Party has no personal knowledge as to when Lot 1 was first noticed for
2 foreclosure, how much Plaintiff received from the sale of the property, or how much
3 Plaintiff lost from the sale of the property;
- 4 (c) None.
- 5 (d) None.
- 6 (a) Request for Admission No. 102, 105, 106, 107, 117, 118, 119, 120, 121, 123, 124,
7 125, 142, 143, 144, 145;
- 8 (b) The premises liability claim stems from the continuous conduct of Wells over many
9 years, which included explicit violent verbal and written threats to other owners,
10 including Responsible Owners, failure to comply with any aspect of the 2016
11 Judgment, failure to allow access to Lot 1 for inspection and maintenance of common
12 easement areas including sewer line, failure to pay any maintenance fees since 2012,
13 blocking stairways and walkways with trash and debris, leave broken glass containers
14 in driveway creating a highly dangerous condition, overwhelm trash room with
15 accumulated trash approximately every 3 months, verbally harass and threaten guests,
16 tenants, owners, neighbors and vendors.
- 17 (c) Responding Party;
- 18 (d) None.
- 19 (a) Request for Admission No. 109;
- 20 (b) Responding Party has no personal knowledge as to whom Wells may or may not have
21 not interacted with;
- 22 (c) Responding Party;
- 23 (d) None.
- 24 (a) Request for Admission No. 110, 111;
- 25 (b) After the alleged water intrusion, Wells broke full glass containers of spaghetti sauce
26 in the driveway, underground parking and on the walkways. Wells also discarded
27 trash and debris throughout the development, blocking driveway, walkways and
28 entries to other residences;

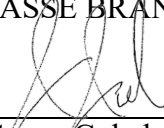
- 1 (c) Responding Party;
2 (d) None.
3 (a) Request for Admission No. 112, 113, 114;
4 (b) Responding Party has no personal knowledge as to whether Wells smashed any
5 cameras or phones at the property;
6 (c) None;
7 (d) None.
8 (a) Request for Admission No. 115, 116;
9 (b) Responding Party has no personal knowledge as to whether Wells wielded baseball
10 bats or guns at the subject property;
11 (c) None;
12 (d) None.
13 (a) Request for Admission No. 126, 127, 128, 129, 130, 131, 132;
14 (b) Responding Party has no personal knowledge as to whether Wells interfered with
15 LOT 2, LOT 3, LOT 5, or LOT6, or whether the other lot owners experienced
16 emotional distress, diminution or loss in the value, or whether the other lot owners
17 experienced a nuisance or other quite enjoyment of their property;
18 (c) None;
19 (d) None.
20 (a) Request for Admission No. 133, 134, 137;
21 (b) Responding Party has no personal knowledge as to whether Wells removed the
22 address range signs, the landscaping easement, or the irrigation easement;
23 (c) None;
24 (d) None.
25 (a) Request for Admission No. 135, 136;
26 (b) The CR&Rs do define an irrigation system easement;
27 (c) None;
28 (d) CR&Rs.

- 1 (a) Request for Admission No. 138, 140;
- 2 (b) Responding Party has no personal knowledge as to if and when Wells purchased and
- 3 installed drought resistant landscaping or a drip irrigation system;
- 4 (c) None;
- 5 (d) None.
- 6
- 7

8 Dated: December 26, 2024

LAGASSE BRANCH BELL + KINKEAD LLP

9

10 By:  _____

11 Sevan Gobel

12 Artin Avetisove

13 Attorneys for Defendants

14 Cameron Hopkins and Jay Dyckman

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Case: Skyler Wells v. Cameron Hopkins, et al.
Case No.: 22STCV05843

VERIFICATION

I, Cameron Hopkins, declare:

I am the Defendant in the above-entitled action. I have read the foregoing
**DEFENDANT CAMERON HOPKINS' RESPONSE TO PLAINTIFF SKYLER
WELLS' FORM INTERROGATORIES – GENERAL, SET TWO**, on file herein and
know the contents thereof. To the extent I have personal knowledge of the matters set forth
herein, the same are true and correct. Insofar as said matters are a composite of the
information of many individuals, I do not have personal knowledge concerning all of the
information contained in said Response, but I am informed and believe that the information set
forth therein for which I lack personal knowledge is true and correct.

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct. Executed in Los Angeles, California on 24 day of December,
2024.



Cameron Hopkins

SUPERIOR COURT OF CALIFORNIA LOS ANGELES COUNTY	COURT USE ONLY
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): TELEPHONE NO.: Sevan Gobel (SBN: 221768) Tel: (213) 817-9152 Artin Avetisove (SBN: 258777) Jeffrey Y. Tsao (SBN: 294379) LAGASSE BRANCH BELL + KINKEAD LLP 626 Wilshire Blvd. Suite 1000 Los Angeles, CA 90017	
SHORT CASE TITLE Skyler Wells v. Cameron Hopkins, et al.	Judge: Hon. Wendy Chang Dept.: 36
ATTORNEY FOR DEFENDANTS: CAMERON HOPKINS AND JAY DYCKMAN	CASE NUMBER: 22STCV05843

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is 626 Wilshire Blvd, Suite 1000, Los Angeles, CA 90017.

On **December 26, 2024**, I caused to be served the within document(s):

- 1. DEFENDANT CAMERON HOPKINS' RESPONSE TO PLAINTIFF AND CROSS-DEFENDANT SKYLER WELLS' REQUEST FOR PRODUCTION OF DOCUMENTS, SET TWO**
- 2. DEFENDANT CAMERON HOPKINS'S RESPONSE TO PLAINTIFF SKYLER WELLS' SPECIAL INTERROGATORIES, SET ONE**
- 3. DEFENDANT CAMERON HOPKINS'S RESPONSE TO PLAINTIFF SKYLER WELLS' REQUEST FOR ADMISSIONS, SET TWO**
- 4. DEFENDANT CAMERON HOPKINS'S RESPONSE TO PLAINTIFF SKYLER WELLS' FORM INTERROGATORIES – GENERAL, SET TWO**
- 5. DEFENDANT JAY DYCKMAN'S RESPONSE TO PLAINTIFF SKYLER WELLS' FORM INTERROGATORIES – GENERAL, SET TWO**
- 6. DEFENDANT JAY DYCKMAN'S RESPONSE TO PLAINTIFF SKYLER WELLS' SPECIAL INTERROGATORIES, SET ONE**
- 7. DEFENDANT JAY DYCKMAN'S RESPONSE TO PLAINTIFF SKYLER WELLS' REQUEST FOR PRODUCTION OF DOCUMENTS, SET TWO**
- 8. DEFENDANT JAY DYCKMAN'S RESPONSE TO PLAINTIFF SKYLER WELLS' REQUEST FOR ADMISSIONS, SET TWO**

or each addressee named hereafter and addressed as follows:

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Cameron Hopkins, an Individual*

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***Attorneys for Cross-Defendants David
Schiamberg and Marilyn Schiamberg***

- (X) **ONLY BY ELECTRONIC TRANSMISSION.** Only by e-mailing the document(s) to the persons at the e-mail address(es) listed pursuant to Code of Civil Procedure section 1010.6. No electronic message or other indication that the transmission was unsuccessful was received within a reasonable time after the transmission.

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Executed on December 26, 2024, at San Diego, California.



Lisa Rodriguez

Document received by the CA 2nd District Court of Appeal.

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Attorneys for Defendants
Cameron Hopkins and Jay Dyckman

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

SKYLER WELLS,

Plaintiff,

vs.

CAMERON HOPKINS, an individual; and JAY
DYCKMAN, an individual,

Defendants.

CASE NO. 22STCV05843

**DEFENDANT CAMERON HOPKINS'S
RESPONSE TO PLAINTIFF SKYLER
WELLS' SPECIAL
INTERROGATORIES, SET ONE**

Judge: Hon. Wendy Chang
Dept.: 36

Complaint filed: 02/16/2022
First Amended Complaint filed: 03/29/2022
Second Amended Complaint filed: 12/09/2022
Third Amended Complaint filed: 12/26/2023
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Trial date: 3/28/2025

CAMERON HOPKINS, an individual,

Cross-Complainant,

vs.

SKYLER WELLS aka SKYLAR WELLS, an
individual; DAVID SCHIAMBERG, an
individual; MARILYN SCHIAMBERG, an
individual, and ROES 1-20

Cross-Defendants.

PROPOUNDING PARTY: Plaintiff SKYLER WELLS

RESPONDING PARTY: Defendant CAMERON HOPKINS

SET NO.: One (1)

Defendant CAMERON HOPKINS (Responding Party or Defendants) responds to Plaintiff SKYLER WELLS' Special Interrogatories, Set One, as follows:

RESPONSES TO SPECIAL INTERROGATORIES

SPECIAL INTERROGATORY NO. 1:

State the start date for Cameron Hopkins as one (1) of two (2) RESPONSIBLE OWNERS.

RESPONSE TO SPECIAL INTERROGATORY NO. 1:

In or about October 2018.

SPECIAL INTERROGATORY NO. 2:

State the end date for Cameron Hopkins as one (1) of two (2) RESPONSIBLE OWNERS.

RESPONSE TO SPECIAL INTERROGATORY NO. 2:

Cameron Hopkins continues to presently serve as a responsible owner.

SPECIAL INTERROGATORY NO. 3:

State the start date for Jay Dyckman as one (1) of two (2) RESPONSIBLE OWNERS.

RESPONSE TO SPECIAL INTERROGATORY NO. 3:

In or about February 2020.

SPECIAL INTERROGATORY NO. 4:

State the end date for Jay Dyckman as one (1) of two (2) RESPONSIBLE OWNERS.

RESPONSE TO SPECIAL INTERROGATORY NO. 4:

Jay Dyckman continues to presently serve as a responsible owner.

SPECIAL INTERROGATORY NO. 5:

State the complete name, start date, and end date for each OWNER who was elected to and accepted the role of one (1) of two (2) RESPONSIBLE OWNERS between January 2018 and the present date.

RESPONSE TO SPECIAL INTERROGATORY NO. 5:

Cameron Hopkins from October 2018 to the present;

Brandon Cohen;

Jay Dyckman from February 2020 to the present;

SPECIAL INTERROGATORY NO. 6:

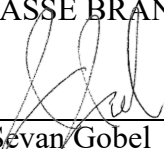
State the OWNER MONTHLY DUES AMOUNT charged to each OWNER for each month between February 2018 and October 2024.

RESPONSE TO SPECIAL INTERROGATORY NO. 6:

\$340 per month.

Dated: December 26, 2024

LAGASSE BRANCH BELL + KINKEAD LLP

By: 
Sevan Gobel
Artin Avetisove
Attorneys for Defendants
Cameron Hopkins and Jay Dyckman

Case: Skyler Wells v. Cameron Hopkins, et al.
Case No.: 22STCV05843

VERIFICATION

I, Cameron Hopkins, declare:

I am the Defendant in the above-entitled action. I have read the foregoing
**DEFENDANT CAMERON HOPKINS' RESPONSE TO PLAINTIFF SKYLER
WELLS' SPECIAL INTERROGATORIES, SET ONE**, on file herein and know the
contents thereof. To the extent I have personal knowledge of the matters set forth herein, the
same are true and correct. Insofar as said matters are a composite of the information of many
individuals, I do not have personal knowledge concerning all of the information contained in
said Response, but I am informed and believe that the information set forth therein for which I
lack personal knowledge is true and correct.

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct. Executed in Los Angeles, California on 24 day of December,
2024.


Cameron Hopkins

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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): TELEPHONE NO.: Sevan Gobel (SBN: 221768) Tel: (213) 817-9152 Artin Avetisove (SBN: 258777) Jeffrey Y. Tsao (SBN: 294379) LAGASSE BRANCH BELL + KINKEAD LLP 626 Wilshire Blvd. Suite 1000 Los Angeles, CA 90017	
SHORT CASE TITLE Skyler Wells v. Cameron Hopkins, et al.	Judge: Hon. Wendy Chang Dept.: 36
ATTORNEY FOR DEFENDANTS: CAMERON HOPKINS AND JAY DYCKMAN	CASE NUMBER: 22STCV05843

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8. **DEFENDANT JAY DYCKMAN'S RESPONSE TO PLAINTIFF SKYLER WELLS' REQUEST FOR ADMISSIONS, SET TWO**

or each addressee named hereafter and addressed as follows:

James C. Diefenbach
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- (X) **ONLY BY ELECTRONIC TRANSMISSION.** Only by e-mailing the document(s) to the persons at the e-mail address(es) listed pursuant to Code of Civil Procedure section 1010.6. No electronic message or other indication that the transmission was unsuccessful was received within a reasonable time after the transmission.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
Executed on December 26, 2024, at San Diego, California.



Lisa Rodriguez

Document received by the CA 2nd District Court of Appeal.

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Attorneys for Defendants
Cameron Hopkins and Jay Dyckman

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

SKYLER WELLS,

Plaintiff,

vs.

CAMERON HOPKINS, an individual; and JAY
DYCKMAN, an individual,

Defendants.

CASE NO. 22STCV05843

**DEFENDANT CAMERON HOPKINS
AND JAY DYCKMAN'S RESPONSE TO
PLAINTIFF SKYLER WELLS'
REQUEST FOR PRODUCTION OF
DOCUMENTS, SET ONE**

Judge: Hon. Wendy Chang
Dept.: 36

Complaint filed: 02/16/2022
First Amended Complaint filed: 03/29/2022
Second Amended Complaint filed: 12/09/2022
Third Amended Complaint filed: 12/26/2023
Fourth Amended Complaint filed: 06/09/2023
Trial date: 01/10/2025

CAMERON HOPKINS, an individual,

Cross-Complainant,

vs.

SKYLER WELLS aka SKYLAR WELLS, an
individual; DAVID SCHIAMBERG, an
individual; MARILYN SCHIAMBERG, an
individual, and ROES 1-20

Cross-Defendants.

PROPOUNDING PARTY: Plaintiff SKYLER WELLS

RESPONDING PARTY: Defendants CAMERON HOPKINS and JAY DYCKMAN

SET NO.: One (1)

Defendants CAMERON HOPKINS and JAY DYCKMAN (Responding Party or Defendants) responds to Plaintiff SKYLER WELLS Request for Production of Documents, Set One, as follows:

RESPONSES TO REQUEST FOR PRODUCTION OF DOCUMENTS

Defendants' responds to Propounding Party's Request for Production of Documents, Set One as follows.

REQUEST FOR PRODUCTION NO. 1:

All DOCUMENTS RELATING to a request for individual notice from the ASSOCIATION provided by the owners of the SUBJECT PROPERTY to YOU prior to August 2019 pursuant to California Civil Code § 4040.

RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request.

REQUEST FOR PRODUCTION NO. 2:

All DOCUMENTS RELATING to a request for individual notice from the ASSOCIATION provided by the owners of the OTHER PROPERTIES to YOU prior to August 2019 pursuant to California Civil Code § 4040.

RESPONSE TO REQUEST FOR PRODUCTION NO. 2:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request.

REQUEST FOR PRODUCTION NO. 3:

All DOCUMENTS RELATING to a written notice to the ASSOCIATION of the preferred delivery method for receiving notices from the ASSOCIATION by the owners of the SUBJECT PROPERTY provided to YOU prior to August 2019 pursuant to California Civil Code § 4041.

RESPONSE TO REQUEST FOR PRODUCTION NO. 3:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request.

///

REQUEST FOR PRODUCTION NO. 4:

All DOCUMENTS RELATING to a written notice to the ASSOCIATION of the preferred delivery method for receiving notices from the ASSOCIATION by the owners of the OTHER PROPERTIES provided to YOU prior to August 2019 pursuant to California Civil Code § 4041.

RESPONSE TO REQUEST FOR PRODUCTION NO. 4:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request.

REQUEST FOR PRODUCTION NO. 5:

All DOCUMENTS RELATING to the text of the proposed amendment to the CC&Rs with the ballot provided by YOU to the owners of the SUBJECT PROPERTY between August 2019 and December 2019 pursuant to California Civil Code § 5115(c) and (g).

RESPONSE TO REQUEST FOR PRODUCTION NO. 5:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and

subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request.

REQUEST FOR PRODUCTION NO. 6:

All DOCUMENTS RELATING to the text of the proposed amendment to the CC&Rs with the ballot provided by YOU to the owners of the OTHER PROPERTIES between August 2019 and December 2019 pursuant to California Civil Code § 5115(c) and (g).

RESPONSE TO REQUEST FOR PRODUCTION NO. 6:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request. Upon information and belief, any documents responsive to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of Loewenthal, Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA 91367.

REQUEST FOR PRODUCTION NO. 7:

All DOCUMENTS EVIDENCING that the text of the proposed amendment to the CC&Rs with the ballot provided by YOU to the owners of the SUBJECT PROPERTY between August 2019 and December 2019 pursuant to California Civil Code § 5115(c) and (g) was sent via first-class mail, registered or certified mail, express mail, or overnight delivery by an express service carrier addressed to the owners of the SUBJECT PROPERTY at the address last shown on the books of the ASSOCIATION pursuant to California Civil Code § 4040.

RESPONSE TO REQUEST FOR PRODUCTION NO. 7:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request. Upon information and belief, any documents responsive to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of Loewenthal, Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA 91367.

REQUEST FOR PRODUCTION NO. 8:

All DOCUMENTS EVIDENCING that the text of the proposed amendment to the CC&Rs with the ballot provided by YOU to the owners of the OTHER PROPERTIES between August 2019 and December 2019 pursuant to California Civil Code § 5115(c) and (g) was sent via first-class mail, registered or certified mail, express mail, or overnight delivery by an express service carrier addressed to the owners of the OTHER PROPERTIES at the addresses last shown on the books of the ASSOCIATION pursuant to California Civil Code § 4040.

RESPONSE TO REQUEST FOR PRODUCTION NO. 8:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule,

and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request. Upon information and belief, any documents responsive to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of Loewenthal, Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA 91367.

REQUEST FOR PRODUCTION NO. 9:

All DOCUMENTS EVIDENCING that the text of the proposed amendment to the CC&Rs with the ballot provided by YOU to the owners of the SUBJECT PROPERTY between August 2019 and December 2019 pursuant to California Civil Code § 5115(c) and (g) was sent via a valid email address, which did not result in a bounce or other error notification indicating failure of the email message, pursuant to California Civil Code § 4041.

RESPONSE TO REQUEST FOR PRODUCTION NO. 9:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request. Upon information and belief, any documents responsive to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of Loewenthal, Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA 91367.

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REQUEST FOR PRODUCTION NO. 10:

All DOCUMENTS EVIDENCING that the text of the proposed amendment to the CC&Rs with the ballot provided by YOU to the owners of the OTHER PROPERTIES between August 2019 and December 2019 pursuant to California Civil Code § 5115(c) and (g) was sent via valid email addresses, which did not result in a bounce or other error notification indicating failure of the email message, pursuant to California Civil Code § 4041.

RESPONSE TO REQUEST FOR PRODUCTION NO. 10:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request. Upon information and belief, any documents responsive to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of Loewenthal, Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA 91367.

REQUEST FOR PRODUCTION NO. 11:

All DOCUMENTS RELATING to the ballot and a copy of election operation rules for the proposed amendment to the CC&Rs provided by YOU to the owners of the SUBJECT PROPERTY between August 2019 and December 2019 pursuant to California Civil Code § 5105(h)(4).

RESPONSE TO REQUEST FOR PRODUCTION NO. 11:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of

1 item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and
2 ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of
3 admissible evidence. Responding Party also objects to the extent the Request seeks information
4 and documents that are protected by the attorney-client privilege, attorney work-product rule,
5 and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and
6 subject thereto, Responding Party responds as follows to the extent it is able to understand this
7 Request: Responding Party will comply with this Request.

8 **REQUEST FOR PRODUCTION NO. 12:**

9 All DOCUMENTS RELATING to the ballot and a copy of election operation rules for
10 the proposed amendment to the CC&Rs provided by YOU to the owners of the OTHER
11 PROPERTIES between August 2019 and December 2019 pursuant to California Civil Code §
12 5105(h)(4).

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 12:**

14 Objection. This Request is improper because it fails to designate documents by
15 specifically describing each individual item or by reasonably particularizing each category of
16 item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and
17 ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of
18 admissible evidence. Responding Party also objects to the extent the Request seeks information
19 and documents that are protected by the attorney-client privilege, attorney work-product rule,
20 and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and
21 subject thereto, Responding Party responds as follows to the extent it is able to understand this
22 Request: After a reasonable search and diligent inquiry, Responding Party is not in possession
23 of any documents responsive to this request. Upon information and belief, any documents
24 responsive to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of
25 Loewenthal, Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA
26 91367.

27 ///

28 ///

REQUEST FOR PRODUCTION NO. 13:

All DOCUMENTS EVIDENCING that the ballot and a copy of election operation rules for the proposed amendment to the CC&Rs provided by YOU to the owners of the SUBJECT PROPERTY between August 2019 and December 2019 pursuant to California Civil Code § 5105(h)(4) was sent via first-class mail, registered or certified mail, express mail, or overnight delivery by an express service carrier addressed to the owners of the SUBJECT PROPERTY at the address last shown on the books of the ASSOCIATION pursuant to California Civil Code § 4040.

RESPONSE TO REQUEST FOR PRODUCTION NO. 13:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request. Upon information and belief, any documents responsive to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of Loewenthal, Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA 91367.

REQUEST FOR PRODUCTION NO. 14:

All DOCUMENTS EVIDENCING that the ballot and a copy of election operation rules for the proposed amendment to the CC&Rs provided by YOU to the owners of the OTHER PROPERTIES between August 2019 and December 2019 pursuant to California Civil Code § 5105(h)(4) was sent via first-class mail, registered or certified mail, express mail, or overnight delivery by an express service carrier addressed to the owners of the OTHER PROPERTIES at

the addresses last shown on the books of the ASSOCIATION pursuant to California Civil Code § 4040.

RESPONSE TO REQUEST FOR PRODUCTION NO. 14:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request. Upon information and belief, any documents responsive to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of Loewenthal, Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA 91367.

REQUEST FOR PRODUCTION NO. 15:

All DOCUMENTS EVIDENCING that the ballot and a copy of election operation rules for the proposed amendment to the CC&Rs provided by YOU to the owners of the SUBJECT PROPERTY between August 2019 and December 2019 pursuant to California Civil Code § 5105(h)(4) was sent via a valid email address, which did not result in a bounce or other error notification indicating failure of the email message, pursuant to California Civil Code § 4041.

RESPONSE TO REQUEST FOR PRODUCTION NO. 15:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information

1 and documents that are protected by the attorney-client privilege, attorney work-product rule,
2 and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and
3 subject thereto, Responding Party responds as follows to the extent it is able to understand this
4 Request: After a reasonable search and diligent inquiry, Responding Party is not in possession
5 of any documents responsive to this request. Upon information and belief, any documents
6 responsive to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of
7 Loewenthal, Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA
8 91367.

9 **REQUEST FOR PRODUCTION NO. 16:**

10 All DOCUMENTS EVIDENCING that the ballot and a copy of election operation rules
11 for the proposed amendment to the CC&Rs provided by YOU to the owners of the OTHER
12 PROPERTIES between August 2019 and December 2019 pursuant to California Civil Code §
13 5105(h)(4) was sent via valid email addresses, which did not result in a bounce or other error
14 notification indicating failure of the email message, pursuant to California Civil Code § 4041.

15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 16:**

16 Objection. This Request is improper because it fails to designate documents by
17 specifically describing each individual item or by reasonably particularizing each category of
18 item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and
19 ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of
20 admissible evidence. Responding Party also objects to the extent the Request seeks information
21 and documents that are protected by the attorney-client privilege, attorney work-product rule,
22 and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and
23 subject thereto, Responding Party responds as follows to the extent it is able to understand this
24 Request: After a reasonable search and diligent inquiry, Responding Party is not in possession
25 of any documents responsive to this request. Upon information and belief, any documents
26 responsive to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of
27 Loewenthal, Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA
28 91367.

REQUEST FOR PRODUCTION NO. 17:

All DOCUMENTS RELATING to the tabulated results for the proposed amendment to the CC&Rs provided by YOU to the owners of the SUBJECT PROPERTY between August 2019 and January 2020 pursuant to California Civil Code § 5120(b).

RESPONSE TO REQUEST FOR PRODUCTION NO. 17:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request. Upon information and belief, any documents responsive to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of Loewenthal, Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA 91367.

REQUEST FOR PRODUCTION NO. 18:

All DOCUMENTS RELATING to the tabulated results for the proposed amendment to the CC&Rs provided by YOU to the owners of the OTHER PROPERTIES between August 2019 and January 2020 pursuant to California Civil Code § 5120(b).

RESPONSE TO REQUEST FOR PRODUCTION NO. 18:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information

1 and documents that are protected by the attorney-client privilege, attorney work-product rule,
2 and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and
3 subject thereto, Responding Party responds as follows to the extent it is able to understand this
4 Request: After a reasonable search and diligent inquiry, Responding Party is not in possession
5 of any documents responsive to this request. Upon information and belief, any documents
6 responsive to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of
7 Loewenthal, Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA
8 91367.

9 **REQUEST FOR PRODUCTION NO. 19:**

10 All DOCUMENTS EVIDENCING that the tabulated results for the proposed amendment
11 to the CC&Rs provided by YOU to the owners of the SUBJECT PROPERTY between August
12 2019 and January 2020 pursuant to California Civil Code § 5120(b) was sent via first-class mail,
13 registered or certified mail, express mail, or overnight delivery by an express service carrier
14 addressed to the owners of the SUBJECT PROPERTY at the address last shown on the books of
15 the ASSOCIATION pursuant to California Civil Code § 4040.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 19:**

17 Objection. This Request is improper because it fails to designate documents by
18 specifically describing each individual item or by reasonably particularizing each category of
19 item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and
20 ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of
21 admissible evidence. Responding Party also objects to the extent the Request seeks information
22 and documents that are protected by the attorney-client privilege, attorney work-product rule,
23 and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and
24 subject thereto, Responding Party responds as follows to the extent it is able to understand this
25 Request: After a reasonable search and diligent inquiry, Responding Party is not in possession
26 of any documents responsive to this request. Upon information and belief, any documents
27 responsive to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of
28

Loewenthal, Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA 91367.

REQUEST FOR PRODUCTION NO. 20:

All DOCUMENTS EVIDENCING that the tabulated results for the proposed amendment to the CC&Rs provided by YOU to the owners of the OTHER PROPERTIES between August 2019 and January 2020 pursuant to California Civil Code § 5120(b) was sent via first-class mail, registered or certified mail, express mail, or overnight delivery by an express service carrier addressed to the owners of the OTHER PROPERTIES at the addresses last shown on the books of the ASSOCIATION pursuant to California Civil Code § 4040.

RESPONSE TO REQUEST FOR PRODUCTION NO. 20:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request. Upon information and belief, any documents responsive to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of Loewenthal, Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA 91367.

REQUEST FOR PRODUCTION NO. 21:

All DOCUMENTS EVIDENCING that the tabulated results for the proposed amendment to the CC&Rs provided by YOU to the owners of the SUBJECT PROPERTY between August 2019 and January 2020 pursuant to California Civil Code § 5120(b) was sent via a valid email

address, which did not result in a bounce or other error notification indicating failure of the email message, pursuant to California Civil Code § 4041.

RESPONSE TO REQUEST FOR PRODUCTION NO. 21:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request. Upon information and belief, any documents responsive to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of Loewenthal, Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA 91367.

REQUEST FOR PRODUCTION NO. 22:

All DOCUMENTS EVIDENCING that the tabulated results for the proposed amendment to the CC&Rs provided by YOU to the owners of the OTHER PROPERTIES between August 2019 and January 2020 pursuant to California Civil Code § 5120(b) was sent via valid email addresses, which did not result in a bounce or other error notification indicating failure of the email message, pursuant to California Civil Code § 4041.

RESPONSE TO REQUEST FOR PRODUCTION NO. 22:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information

and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request. Upon information and belief, any documents responsive to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of Loewenthal, Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA 91367.

REQUEST FOR PRODUCTION NO. 23:

All DOCUMENTS that reflect COMMUNICATIONS between YOU and any PERSON, between August 2019 and January 2020, RELATING to the proposed amendment to the CC&Rs.

RESPONSE TO REQUEST FOR PRODUCTION NO. 23:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request. Upon information and belief, any documents responsive to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of Loewenthal, Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA 91367.

REQUEST FOR PRODUCTION NO. 24:

All DOCUMENTS that reflect COMMUNICATIONS between YOU and any PERSON

between August 2019 and January 2020, RELATING to the voting on the proposed amendment to the CC&Rs.

RESPONSE TO REQUEST FOR PRODUCTION NO. 24:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request. Upon information and belief, any documents responsive to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of Loewenthal, Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA 91367.

Dated: July 15, 2024

LAGASSE BRANCH BELL + KINKEAD LLP

By: 
Sevan Gobel
Artin Avetisove
Attorneys for Defendants
Cameron Hopkins and Jay Dyckman

Case: Skyler Wells v. Cameron Hopkins, et al.
Case No.: 22STCV05843

VERIFICATION

I, Cameron Hopkins, declare:

I am the Defendant in the above-entitled action. I have read the foregoing
**DEFENDANT CAMERON HOPKINS AND JAY DYCKMAN'S RESPONSE TO
PLAINTIFF SKYLER WELLS' REQUEST FOR PRODUCTION OF DOCUMENTS,
SET ONE**, on file herein and know the contents thereof. To the extent I have personal
knowledge of the matters set forth herein, the same are true and correct. Insofar as said
matters are a composite of the information of many individuals, I do not have personal
knowledge concerning all of the information contained in said Response, but I am informed
and believe that the information set forth therein for which I lack personal knowledge is true
and correct.

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct. Executed in VENTURA, California on July 10, 2024.


Cameron Hopkins

Case: Skyler Wells v. Cameron Hopkins, et al.
Case No.: 22STCV05843

VERIFICATION

I, Jay Dyckman, declare:

I am the Defendant in the above-entitled action. I have read the foregoing
**DEFENDANT CAMERON HOPKINS AND JAY DYCKMAN'S RESPONSE TO
PLAINTIFF SKYLER WELLS' REQUEST FOR PRODUCTION OF DOCUMENTS, SET
ONE**, on file herein and know the contents thereof. To the extent I have personal knowledge of
the matters set forth herein, the same are true and correct. Insofar as said matters are a composite
of the information of many individuals, I do not have personal knowledge concerning all of the
information contained in said Response, but I am informed and believe that the information set
forth therein for which I lack personal knowledge is true and correct.

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct. Executed in Los Angeles, California on July 11, 2024.


Jay Dyckman

Case: Skyler Wells v. Cameron Hopkins, et al.

SUPERIOR COURT OF CALIFORNIA LOS ANGELES COUNTY	COURT USE ONLY
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): TELEPHONE NO.: Sevan Gobel (SBN : 221768) Tel: (213) 817-9152 sgobel@lbbklaw.com Artin Avetisove (SBN: 258777) aavetisove@lbbklaw.com LAGASSE BRANCH BELL + KINKEAD LLP 626 Wilshire Blvd. Suite 1000 Los Angeles, CA 90017	
SHORT CASE TITLE Skyler Wells v. Cameron Hopkins, et al.	Judge: Hon. Wendy Chang Dept.: 36
ATTORNEY FOR DEFENDANTS: CAMERON HOPKINS AND JAY DYCKMAN	CASE NUMBER: 22STCV05843

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is 626 Wilshire Blvd, Suite 1000, Los Angeles, CA 90017.

On **July 15, 2024**, I caused to be served the within document(s):

1. **DEFENDANT CAMERON HOPKINS AND JAY DYCKMAN'S RESPONSE TO PLAINTIFF SKYLER WELLS' REQUEST FOR ADMISSIONS, SET ONE**
2. **DEFENDANT CAMERON HOPKINS AND JAY DYCKMAN'S RESPONSE TO PLAINTIFF SKYLER WELLS' REQUEST FOR PRODUCTION OF DOCUMENTS, SET ONE**
3. **DEFENDANT CAMERON HOPKINS AND JAY DYCKMAN'S DOCUMENT PRODUCTION BATES STAMPED DEFENDANTS_000001-000015**

for each addressee named hereafter and addressed as follows:

James C. Diefenbach
DIEFENBACH LAW GROUP
11835 Carmel Mountain Rd., Suite 1304-313
San Diego CA 92128
Telephone: (858) 524-4950
james@diefenbachlawgroup.com
diefenbachlga@gmail.com
Attorneys for Plaintiff Skyler Wells

Emma D. Enriquez
CAMERON A. HOPKINS, APC
865 S. Figueroa Street, Suite 1388
Los Angeles, California 90017
Telephone: (213) 892-9957
Facsimile: (833) 830-1240
cyberlaw12@gmail.com
*Attorneys for Defendant/Cross-Complainant,
Cameron Hopkins, an Individual*

Jason B. Edlinger
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Telephone: (310) 277-7747
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Facsimile: (310) 277-2576
JBE@ezerwilliamsonlaw.com
rew@ezerwilliamsonlaw.com
*Attorneys for Cross-Defendants David
Schiamberg and Marilyn Schiamberg*

- (X) **ONLY BY ELECTRONIC TRANSMISSION.** Only by e-mailing the document(s) to the persons at the e-mail address(es) listed pursuant to Code of Civil Procedure section 1010.6. No electronic message or other indication that the transmission was unsuccessful was received within a reasonable time after the transmission.

Document received by the CA 2nd District Court of Appeal.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on July 15, 2024, at San Diego, California.



Lisa Rodriguez

Document received by the CA 2nd District Court of Appeal.

Sevan Gobel (SBN: 221768)
sgobel@lbbklaw.com
Artin Avetisove (SBN: 258777)
aavetisove@lbbklaw.com
LAGASSE BRANCH BELL + KINKEAD LLP
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Facsimile: (213) 817-9154

Attorneys for Defendants
Cameron Hopkins and Jay Dyckman

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

SKYLER WELLS,

Plaintiff,

vs.

CAMERON HOPKINS, an individual; and JAY
DYCKMAN, an individual,

Defendants.

CASE NO. 22STCV05843

**DEFENDANT CAMERON HOPKINS
AND JAY DYCKMAN'S FURTHER
RESPONSE TO PLAINTIFF SKYLER
WELLS' REQUEST FOR PRODUCTION
OF DOCUMENTS, SET ONE**

Judge: Hon. Wendy Chang
Dept.: 36

Complaint filed: 02/16/2022
First Amended Complaint filed: 03/29/2022
Second Amended Complaint filed: 12/09/2022
Third Amended Complaint filed: 12/26/2023
Fourth Amended Complaint filed: 06/09/2023
Trial date: 01/10/2025

CAMERON HOPKINS, an individual,

Cross-Complainant,

vs.

SKYLER WELLS aka SKYLAR WELLS, an
individual; DAVID SCHIAMBERG, an
individual; MARILYN SCHIAMBERG, an
individual, and ROES 1-20

Cross-Defendants.

PROPOUNDING PARTY: Plaintiff SKYLER WELLS

RESPONDING PARTY: Defendants CAMERON HOPKINS and JAY DYCKMAN

SET NO.: One (1)

Defendants CAMERON HOPKINS and JAY DYCKMAN (Responding Party or Defendants) *further* respond to Plaintiff SKYLER WELLS Request for Production of Documents, Set One, as follows:

RESPONSES TO REQUEST FOR PRODUCTION OF DOCUMENTS

Defendants' responds to Propounding Party's Request for Production of Documents, Set One as follows.

REQUEST FOR PRODUCTION NO. 1:

All DOCUMENTS RELATING to a request for individual notice from the ASSOCIATION provided by the owners of the SUBJECT PROPERTY to YOU prior to August 2019 pursuant to California Civil Code § 4040.

RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request.

FURTHER RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and

1 ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of
2 admissible evidence. Responding Party also objects to the extent the Request seeks information
3 and documents that are protected by the attorney-client privilege, attorney work-product rule,
4 and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and
5 subject thereto, Responding Party responds as follows to the extent it is able to understand this
6 Request: After a reasonable search and diligent inquiry, Responding Party cannot comply with
7 this Request as no responsive documents has ever been, or is no longer in, the possession,
8 custody, or control of Responding Party. Upon information and belief, any documents responsive
9 to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of Loewenthal,
10 Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA 91367.

11 **REQUEST FOR PRODUCTION NO. 2:**

12 All DOCUMENTS RELATING to a request for individual notice from the
13 ASSOCIATION provided by the owners of the OTHER PROPERTIES to YOU prior to August
14 2019 pursuant to California Civil Code § 4040.

15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 2:**

16 Objection. This Request is improper because it fails to designate documents by
17 specifically describing each individual item or by reasonably particularizing each category of
18 item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and
19 ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of
20 admissible evidence. Responding Party also objects to the extent the Request seeks information
21 and documents that are protected by the attorney-client privilege, attorney work-product rule,
22 and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and
23 subject thereto, Responding Party responds as follows to the extent it is able to understand this
24 Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of
25 any documents responsive to this request.

26 **FURTHER RESPONSE TO REQUEST FOR PRODUCTION NO. 2:**

27 Objection. This Request is improper because it fails to designate documents by
28 specifically describing each individual item or by reasonably particularizing each category of

item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party cannot comply with this Request as no responsive documents has ever been, or is no longer in, the possession, custody, or control of Responding Party. Upon information and belief, any documents responsive to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of Loewenthal, Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA 91367.

REQUEST FOR PRODUCTION NO. 3:

All DOCUMENTS RELATING to a written notice to the ASSOCIATION of the preferred delivery method for receiving notices from the ASSOCIATION by the owners of the SUBJECT PROPERTY provided to YOU prior to August 2019 pursuant to California Civil Code § 4041.

RESPONSE TO REQUEST FOR PRODUCTION NO. 3:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and

1 ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of
2 admissible evidence. Responding Party also objects to the extent the Request seeks information
3 and documents that are protected by the attorney-client privilege, attorney work-product rule,
4 and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and
5 subject thereto, Responding Party responds as follows to the extent it is able to understand this
6 Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of
7 any documents responsive to this request.

8 **FURTHER RESPONSE TO REQUEST FOR PRODUCTION NO. 3:**

9 Objection. This Request is improper because it fails to designate documents by
10 specifically describing each individual item or by reasonably particularizing each category of
11 item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and
12 ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of
13 admissible evidence. Responding Party also objects to the extent the Request seeks information
14 and documents that are protected by the attorney-client privilege, attorney work-product rule,
15 and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and
16 subject thereto, Responding Party responds as follows to the extent it is able to understand this
17 Request: After a reasonable search and diligent inquiry, Responding Party cannot comply with
18 this Request as no responsive documents has ever been, or is no longer in, the possession,
19 custody, or control of Responding Party. Upon information and belief, any documents responsive
20 to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of Loewenthal,
21 Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA 91367.

22 **REQUEST FOR PRODUCTION NO. 4:**

23 All DOCUMENTS RELATING to a written notice to the ASSOCIATION of the
24 preferred delivery method for receiving notices from the ASSOCIATION by the owners of the
25 OTHER PROPERTIES provided to YOU prior to August 2019 pursuant to California Civil Code
26 § 4041.

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RESPONSE TO REQUEST FOR PRODUCTION NO. 4:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request.

FURTHER RESPONSE TO REQUEST FOR PRODUCTION NO. 4:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party cannot comply with this Request as no responsive documents has ever been, or is no longer in, the possession, custody, or control of Responding Party. Upon information and belief, any documents responsive to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of Loewenthal, Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA 91367.

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REQUEST FOR PRODUCTION NO. 5:

All DOCUMENTS RELATING to the text of the proposed amendment to the CC&Rs with the ballot provided by YOU to the owners of the SUBJECT PROPERTY between August 2019 and December 2019 pursuant to California Civil Code § 5115(c) and (g).

RESPONSE TO REQUEST FOR PRODUCTION NO. 5:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party is not in possession of any documents responsive to this request.

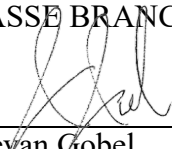
FURTHER RESPONSE TO REQUEST FOR PRODUCTION NO. 5:

Objection. This Request is improper because it fails to designate documents by specifically describing each individual item or by reasonably particularizing each category of item in contravention of *Code of Civil Procedure* § 2031.030(c)(1). This Request is vague and ambiguous as phrased. This Request is not reasonably calculated to lead to the discovery of admissible evidence. Responding Party also objects to the extent the Request seeks information and documents that are protected by the attorney-client privilege, attorney work-product rule, and/or were prepared in anticipation of litigation. Without waiving the foregoing objections and subject thereto, Responding Party responds as follows to the extent it is able to understand this Request: After a reasonable search and diligent inquiry, Responding Party cannot comply with this Request as no responsive documents has ever been, or is no longer in, the possession, custody, or control of Responding Party. Upon information and belief, any documents responsive

1 to this Request (if any) may be in the possession of Robert D. Hillshafer, Esq. of Loewenthal,
2 Hillshafer & Carter, LLP, 5700 Canoga Ave., Suite 160, Woodland Hills, CA 91367.

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4
5 Dated: October 15, 2024

LAGASSE BRANCH BELL + KINKEAD LLP

6
7 By: 

8 Sevan Gobel
9 Artin Avetisove
10 Attorneys for Defendants
11 Cameron Hopkins and Jay Dyckman
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Case: Skyler Wells v. Cameron Hopkins, et al.
Case No.: 22STCV05843

VERIFICATION

I, Cameron Hopkins, declare:

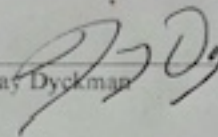
I am the Defendant in the above-entitled action. I have read the foregoing
**DEFENDANT CAMERON HOPKINS AND JAY DYCKMAN'S FURTHER
RESPONSES TO PLAINTIFF SKYLER WELLS' DEMAND FOR PRODUCTION,
SET ONE**, on file herein and know the contents thereof. To the extent I have personal
knowledge of the matters set forth herein, the same are true and correct. Insofar as said
matters are a composite of the information of many individuals, I do not have personal
knowledge concerning all of the information contained in said Response, but I am informed
and believe that the information set forth therein for which I lack personal knowledge is true
and correct.

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct. Executed in Los Angeles, California on October 14, 2024.



Cameron Hopkins

1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct. Executed in Los Angeles, California on October 15, 2024.
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Jay Dyckman

LAGASSE BRANCH BELL + KINKAD LLP
426 Wilshire Blvd., Suite 1000
Los Angeles, CA 90017-1200

VERIFICATION

01084

ived by the CA 2nd District Court of Appeal.

SUPERIOR COURT OF CALIFORNIA LOS ANGELES COUNTY	COURT USE ONLY
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): TELEPHONE NO.: Sevan Gobel (SBN: 221768) Tel: (213) 817-9152 Artin Avetisove (SBN: 258777) Jeffrey Y. Tsao (SBN: 294379) LAGASSE BRANCH BELL + KINKEAD LLP 626 Wilshire Blvd. Suite 1000 Los Angeles, CA 90017	
SHORT CASE TITLE Skyler Wells v. Cameron Hopkins, et al.	Judge: Hon. Wendy Chang Dept.: 36
ATTORNEY FOR DEFENDANTS: CAMERON HOPKINS AND JAY DYCKMAN	CASE NUMBER: 22STCV05843

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is 626 Wilshire Blvd, Suite 1000, Los Angeles, CA 90017.

On **October 15, 2024**, I caused to be served the within document(s):

- 1. DEFENDANT CAMERON HOPKINS'S AND JAY DYCKMAN'S RESPONSE TO PLAINTIFF SKYLER WELLS' FORM INTERROGATORIES – GENERAL, SET ONE**
- 2. DEFENDANT CAMERON HOPKINS AND JAY DYCKMAN'S FURTHER RESPONSE TO PLAINTIFF SKYLER WELLS' REQUEST FOR PRODUCTION OF DOCUMENTS, SET ONE**
for each addressee named hereafter and addressed as follows:

James C. Diefenbach
DIEFENBACH LAW GROUP
11835 Carmel Mountain Rd., Suite 1304-313
San Diego CA 92128
Telephone: (858) 524-4950
james@diefenbachlawgroup.com
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Attorneys for Plaintiff Skyler Wells

Emma D. Enriquez
CAMERON A. HOPKINS, APC
865 S. Figueroa Street, Suite 1388
Los Angeles, California 90017
Telephone: (213) 892-9957
Facsimile: (833) 830-1240
cyberlaw12@gmail.com
*Attorneys for Defendant/Cross-Complainant,
Cameron Hopkins, an Individual*

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21515 Hawthorne Blvd., Suite 1150
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JBE@ezerwilliamsonlaw.com
rew@ezerwilliamsonlaw.com
*Attorneys for Cross-Defendants David
Schiamberg and Marilyn Schiamberg*

- (X) **ONLY BY ELECTRONIC TRANSMISSION.** Only by e-mailing the document(s) to the persons at the e-mail address(es) listed pursuant to Code of Civil Procedure section 1010.6. No electronic message or other indication that the transmission was unsuccessful was received within a reasonable time after the transmission.

Document received by the CA 2nd District Court of Appeal.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on October 15, 2024, at San Diego, California.



Lisa Rodriguez

Document received by the CA 2nd District Court of Appeal.

Sevan Gobel (SBN: 221768)
sgobel@lbbklaw.com
Artin Avetisove (SBN: 258777)
aavetisove@lbbklaw.com
LAGASSE BRANCH BELL + KINKEAD LLP
626 Wilshire Blvd., Suite 1000
Los Angeles, CA 90017
Telephone: (213) 817-9152
Facsimile: (213) 817-9154

Attorneys for Defendants
Cameron Hopkins and Jay Dyckman

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

SKYLER WELLS,

Plaintiff,

vs.

CAMERON HOPKINS, an individual; and JAY
DYCKMAN, an individual,

Defendants.

CASE NO. 22STCV05843

**DEFENDANT CAMERON HOPKINS
AND JAY DYCKMAN'S RESPONSE TO
PLAINTIFF SKYLER WELLS'
REQUEST FOR ADMISSIONS, SET ONE**

Judge: Hon. Wendy Chang
Dept.: 36

Complaint filed: 02/16/2022
First Amended Complaint filed: 03/29/2022
Second Amended Complaint filed: 12/09/2022
Third Amended Complaint filed: 12/26/2023
Fourth Amended Complaint filed: 06/09/2023
Trial date: 01/10/2025

CAMERON HOPKINS, an individual,

Cross-Complainant,

vs.

SKYLER WELLS aka SKYLAR WELLS, an
individual; DAVID SCHIAMBERG, an
individual; MARILYN SCHIAMBERG, an
individual, and ROES 1-20

Cross-Defendants.

PROPOUNDING PARTY: Plaintiff SKYLER WELLS

RESPONDING PARTY: Defendants CAMERON HOPKINS and JAY DYCKMAN

SET NO.: One (1)

Defendants CAMERON HOPKINS and JAY DYCKMAN (Responding Party or Defendants) responds to Plaintiff SKYLER WELLS Request for Admissions, Set One, as follows:

REQUEST FOR ADMISSION NO. 1:

Admit that individual notice from the ASSOCIATION was not requested to YOU by the owners of the SUBJECT PROPERTY prior to August 2019 pursuant to California Civil Code § 4040.

RESPONSE TO REQUEST FOR ADMISSION NO. 1:

Objection. This request is vague and ambiguous as to phrase “notice.” This request lacks foundation. This request calls for a legal conclusion. This request is not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing objections, Responding Party responds as follows: Responding Party denies the subject community is a common interest development subject to the Davis-Sterling Act.

REQUEST FOR ADMISSION NO. 2:

Admit that a written notice to the ASSOCIATION of the owners of the SUBJECT PROPERTY preferred delivery method for receiving notices from the ASSOCIATION was not provided to YOU by the owners of the SUBJECT PROPERTY prior to August 2019 pursuant to California Civil Code § 4041.

RESPONSE TO REQUEST FOR ADMISSION NO. 2:

Objection. This request is vague and ambiguous as to phrase “notice.” This request lacks foundation. This request calls for a legal conclusion. This request is not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing objections, Responding Party responds as follows: Responding Party denies the subject community is a common interest development subject to the Davis-Sterling Act.

///

REQUEST FOR ADMISSION NO. 3:

Admit that the text of the proposed amendment to the CC&Rs with the ballot was not provided by YOU to the owners of the SUBJECT PROPERTY between August 2019 and December 2019 pursuant to California Civil Code § 5115(c) and (g).

RESPONSE TO REQUEST FOR ADMISSION NO. 3:

Objection. This request is vague and ambiguous as to phrase “proposed amendment.” This request lacks foundation. This request calls for a legal conclusion. This request is not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing objections, Responding Party responds as follows: Responding Party denies the subject community is a common interest development subject to the Davis-Sterling Act.

REQUEST FOR ADMISSION NO. 4:

Admit that the text of the proposed amendment to the CC&Rs with the ballot was not sent by YOU to the owners of the SUBJECT PROPERTY between August 2019 and December 2019 pursuant to California Civil Code § 5115(c) and (g) via first-class mail, registered or certified mail, express mail, or overnight delivery by an express service carrier addressed to the owners of the SUBJECT PROPERTY at the address last shown on the books of the ASSOCIATION pursuant to California Civil Code § 4040.

RESPONSE TO REQUEST FOR ADMISSION NO. 4:

Objection. This request is vague and ambiguous as to phrase “proposed amendment.” This request lacks foundation. This request calls for a legal conclusion. This request is not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing objections, Responding Party responds as follows: Responding Party denies the subject community is a common interest development subject to the Davis-Sterling Act.

REQUEST FOR ADMISSION NO. 5:

Admit that the text of the proposed amendment to the CC&Rs with the ballot was not sent by YOU to the owners of the SUBJECT PROPERTY between August 2019 and December 2019 pursuant to California Civil Code § 5115(c) and (g) via a valid email address, which did not

1 result in a bounce or other error notification indicating failure of the email message, pursuant to
2 California Civil Code § 4041.

3 **RESPONSE TO REQUEST FOR ADMISSION NO. 5:**

4 Objection. This request is vague and ambiguous as to phrase “proposed amendment.”
5 This request lacks foundation. This request calls for a legal conclusion. This request is not
6 reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing
7 objections, Responding Party responds as follows: Responding Party denies the subject
8 community is a common interest development subject to the Davis-Sterling Act.

9 **REQUEST FOR ADMISSION NO. 6:**

10 Admit that the ballot and a copy of election operation rules for the proposed amendment
11 to the CC&Rs was not provided by YOU to the owners of the SUBJECT PROPERTY between
12 August 2019 and December 2019 pursuant to California Civil Code § 5105(h)(4).

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 6:**

14 Objection. This request is vague and ambiguous as to phrase “proposed amendment.”
15 This request lacks foundation. This request calls for a legal conclusion. This request is not
16 reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing
17 objections, Responding Party responds as follows: Responding Party denies the subject
18 community is a common interest development subject to the Davis-Sterling Act.

19 **REQUEST FOR ADMISSION NO. 7:**

20 Admit that the ballot and a copy of election operation rules for the proposed amendment
21 to the CC&Rs was not sent by YOU to the owners of the SUBJECT PROPERTY between
22 August 2019 and December 2019 pursuant to California Civil Code § 5105(h)(4) via first-class
23 mail, registered or certified mail, express mail, or overnight delivery by an express service
24 carrier addressed to the owners of the SUBJECT PROPERTY at the address last shown on the
25 books of the ASSOCIATION pursuant to California Civil Code § 4040.

26 **RESPONSE TO REQUEST FOR ADMISSION NO. 7:**

27 Objection. This request is vague and ambiguous as to phrase “proposed amendment.”
28 This request lacks foundation. This request calls for a legal conclusion. This request is not

1 reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing
2 objections, Responding Party responds as follows: Responding Party denies the subject
3 community is a common interest development subject to the Davis-Sterling Act.

4 **REQUEST FOR ADMISSION NO. 8:**

5 Admit that the ballot and a copy of election operation rules for the proposed amendment
6 to the CC&Rs was not sent by YOU to the owners of the SUBJECT PROPERTY between
7 August 2019 and December 2019 pursuant to California Civil Code § 5105(h)(4) via a valid
8 email address, which did not result in a bounce or other error notification indicating failure of the
9 email message, pursuant to California Civil Code § 4041.

10 **RESPONSE TO REQUEST FOR ADMISSION NO. 8:**

11 Objection. This request is vague and ambiguous as to phrase “proposed amendment.”
12 This request lacks foundation. This request calls for a legal conclusion. This request is not
13 reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing
14 objections, Responding Party responds as follows: Responding Party denies the subject
15 community is a common interest development subject to the Davis-Sterling Act.

16 **REQUEST FOR ADMISSION NO. 9:**

17 Admit that the tabulated results for the proposed amendment to the CC&Rs was not
18 provided by YOU to the owners of the SUBJECT PROPERTY between August 2019 and
19 January 2020 pursuant to California Civil Code § 5120(b).

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 9:**

21 Objection. This request is vague and ambiguous as to phrase “proposed amendment.”
22 This request lacks foundation. This request calls for a legal conclusion. This request is not
23 reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing
24 objections, Responding Party responds as follows: Responding Party denies the subject
25 community is a common interest development subject to the Davis-Sterling Act.

26 **REQUEST FOR ADMISSION NO. 10:**

27 Admit that the tabulated results for the proposed amendment to the CC&Rs was not sent
28 by YOU to the owners of the SUBJECT PROPERTY between August 2019 and December 2019

pursuant to California Civil Code § 5120(b) via first-class mail, registered or certified mail, express mail, or overnight delivery by an express service carrier addressed to the owners of the SUBJECT PROPERTY at the address last shown on the books of the ASSOCIATION pursuant to California Civil Code § 4040.

RESPONSE TO REQUEST FOR ADMISSION NO. 10:

Objection. This request is vague and ambiguous as to phrase “proposed amendment.” This request lacks foundation. This request calls for a legal conclusion. This request is not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing objections, Responding Party responds as follows: Responding Party denies the subject community is a common interest development subject to the Davis-Sterling Act.

REQUEST FOR ADMISSION NO. 11:

Admit that the tabulated results for the proposed amendment to the CC&Rs was not sent by YOU to the owners of the SUBJECT PROPERTY between August 2019 and December 2019 pursuant to California Civil Code § 5120(b) via a valid email address, which did not result in a bounce or other error notification indicating failure of the email message, pursuant to California Civil Code § 4041.

RESPONSE TO REQUEST FOR ADMISSION NO. 11:

Objection. This request is vague and ambiguous as to phrase “proposed amendment.” This request lacks foundation. This request calls for a legal conclusion. This request is not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing objections, Responding Party responds as follows: Responding Party denies the subject community is a common interest development subject to the Davis-Sterling Act.

REQUEST FOR ADMISSION NO. 12:

Admit that between August 2019 and December 2019, YOU denied a ballot and the casting of a vote for the proposed amendment to the CC&Rs to the owners of the SUBJECT PROPERTY, in violation of California Civil Code § 5105(h)(1).

RESPONSE TO REQUEST FOR ADMISSION NO. 12:

Objection. This request is vague and ambiguous as to phrase “proposed amendment.”

This request lacks foundation. This request calls for a legal conclusion. This request is not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing objections, Responding Party responds as follows: Responding Party denies the subject community is a common interest development subject to the Davis-Sterling Act.

REQUEST FOR ADMISSION NO. 13:

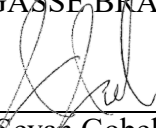
Admit that on December 23, 2019, YOU filed an amendment to the CC&Rs in violation of California Civil Code §§ 5105(h)(1) and (h)(4), 5115(c) and (g), and 5120(b).

RESPONSE TO REQUEST FOR ADMISSION NO. 13:

Objection. This request is vague and ambiguous as to phrase “proposed amendment.” This request lacks foundation. This request calls for a legal conclusion. This request is not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing objections, Responding Party responds as follows: Responding Party denies the subject community is a common interest development subject to the Davis-Sterling Act.

Dated: July 15, 2024

LAGASSE BRANCH BELL + KINKEAD LLP

By: 
Sevan Gobel
Artin Avetisove
Attorneys for Defendants
Cameron Hopkins and Jay Dyckman

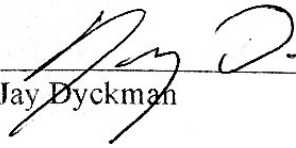
Case No.: 22STCV05843

VERIFICATION

I, Jay Dyckman, declare:

I am the Defendant in the above-entitled action. I have read the foregoing
**DEFENDANT CAMERON HOPKINS AND JAY DYCKMAN'S RESPONSE TO
PLAINTIFF SKYLER WELLS' REQUEST FOR ADMISSIONS, SET ONE**, on file herein
and know the contents thereof. To the extent I have personal knowledge of the matters set forth
herein, the same are true and correct. Insofar as said matters are a composite of the information
of many individuals, I do not have personal knowledge concerning all of the information
contained in said Response, but I am informed and believe that the information set forth therein
for which I lack personal knowledge is true and correct.

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct. Executed in Los Angeles, California on July 11, 2024.


Jay Dyckman

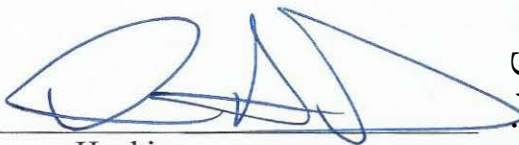
Case: Skyler Wells v. Cameron Hopkins, et al.
Case No.: 22STCV05843

VERIFICATION

I, Cameron Hopkins, declare:

I am the Defendant in the above-entitled action. I have read the foregoing
DEFENDANT CAMERON HOPKINS AND JAY DYCKMAN'S RESPONSE TO
PLAINTIFF SKYLER WELLS' REQUEST FOR ADMISSIONS, SET ONE, on file
herein and know the contents thereof. To the extent I have personal knowledge of the matters
set forth herein, the same are true and correct. Insofar as said matters are a composite of the
information of many individuals, I do not have personal knowledge concerning all of the
information contained in said Response, but I am informed and believe that the information set
forth therein for which I lack personal knowledge is true and correct.

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct. Executed in VENTURA, California on July 10, 2024.


Cameron Hopkins

SUPERIOR COURT OF CALIFORNIA LOS ANGELES COUNTY	COURT USE ONLY
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): TELEPHONE NO.: Sevan Gobel (SBN : 221768) Tel: (213) 817-9152 sgobel@lbbklaw.com Artin Avetisove (SBN: 258777) aavetisove@lbbklaw.com LAGASSE BRANCH BELL + KINKEAD LLP 626 Wilshire Blvd. Suite 1000 Los Angeles, CA 90017	
SHORT CASE TITLE Skyler Wells v. Cameron Hopkins, et al.	Judge: Hon. Wendy Chang Dept.: 36
ATTORNEY FOR DEFENDANTS: CAMERON HOPKINS AND JAY DYCKMAN	CASE NUMBER: 22STCV05843

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is 626 Wilshire Blvd, Suite 1000, Los Angeles, CA 90017.

On **July 15, 2024**, I caused to be served the within document(s):

- 1. DEFENDANT CAMERON HOPKINS AND JAY DYCKMAN'S RESPONSE TO PLAINTIFF SKYLER WELLS' REQUEST FOR ADMISSIONS, SET ONE**
- 2. DEFENDANT CAMERON HOPKINS AND JAY DYCKMAN'S RESPONSE TO PLAINTIFF SKYLER WELLS' REQUEST FOR PRODUCTION OF DOCUMENTS, SET ONE**
- 3. DEFENDANT CAMERON HOPKINS AND JAY DYCKMAN'S DOCUMENT PRODUCTION BATES STAMPED DEFENDANTS_000001-000015**

for each addressee named hereafter and addressed as follows:

James C. Diefenbach
DIEFENBACH LAW GROUP
11835 Carmel Mountain Rd., Suite 1304-313
San Diego CA 92128
Telephone: (858) 524-4950
james@diefenbachlawgroup.com
diefenbachlga@gmail.com
Attorneys for Plaintiff Skyler Wells

Emma D. Enriquez
CAMERON A. HOPKINS, APC
865 S. Figueroa Street, Suite 1388
Los Angeles, California 90017
Telephone: (213) 892-9957
Facsimile: (833) 830-1240
cyberlaw12@gmail.com
*Attorneys for Defendant/Cross-Complainant,
Cameron Hopkins, an Individual*

Jason B. Edlinger
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21515 Hawthorne Blvd., Suite 1150
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Facsimile: (310) 277-2576
JBE@ezerwilliamsonlaw.com
rew@ezerwilliamsonlaw.com
*Attorneys for Cross-Defendants David
Schiamberg and Marilyn Schiamberg*

- (X) **ONLY BY ELECTRONIC TRANSMISSION.** Only by e-mailing the document(s) to the persons at the e-mail address(es) listed pursuant to Code of Civil Procedure section 1010.6. No electronic message or other indication that the transmission was unsuccessful was received within a reasonable time after the transmission.

Document received by the CA 2nd District Court of Appeal.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on July 15, 2024, at San Diego, California.



Lisa Rodriguez

Document received by the CA 2nd District Court of Appeal.

Sevan Gobel (SBN: 221768)
sgobel@lbbklaw.com
Artin Avetisove (SBN: 258777)
aavetisove@lbbklaw.com
LAGASSE BRANCH BELL + KINKEAD LLP
626 Wilshire Blvd., Suite 1000
Los Angeles, CA 90017
Telephone: (213) 817-9152
Facsimile: (213) 817-9154

Attorneys for Defendants
Cameron Hopkins and Jay Dyckman

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

SKYLER WELLS,

Plaintiff,

vs.

CAMERON HOPKINS, an individual; and JAY
DYCKMAN, an individual,

Defendants.

CASE NO. 22STCV05843

**DEFENDANT CAMERON HOPKINS'S
AND JAY DYCKMAN'S RESPONSE TO
PLAINTIFF SKYLER WELLS' FORM
INTERROGATORIES – GENERAL, SET
ONE**

Judge: Hon. Wendy Chang
Dept.: 36

Complaint filed: 02/16/2022
First Amended Complaint filed: 03/29/2022
Second Amended Complaint filed: 12/09/2022
Third Amended Complaint filed: 12/26/2023
Fourth Amended Complaint filed: 06/09/2023
Trial date: 01/10/2025

CAMERON HOPKINS, an individual,

Cross-Complainant,

vs.

SKYLER WELLS aka SKYLAR WELLS, an
individual; DAVID SCHIAMBERG, an
individual; MARILYN SCHIAMBERG, an
individual, and ROES 1-20

Cross-Defendants.

PROPOUNDING PARTY: Plaintiff SKYLAR WELLS

RESPONDING PARTY: Defendants CAMERON HOPKINS and JAY DYCKMAN

SET NO.: One (1)

Defendant CAMERON HOPKINS and JAY DYCKMAN (Responding Party or Defendants) respond to Plaintiff SKYLAR WELLS Form Interrogatories – General, Set One, as follows:

SPECIFIC RESPONSES TO FORM INTERROGATORIES

Responding Party responds to Propounding Party's Form Interrogatories as follows:

FORM INTERROGATORY NO. 1.1:

State the name, ADDRESS, telephone number, and relationship to you of each PERSON who prepared or assisted in the preparation of the responses to these interrogatories. (Do not identify anyone who simply typed or reproduced the responses.)

RESPONSE TO FORM INTERROGATORY NO. 1.1:

Responding Party with the assistance of counsel of record.

FORM INTERROGATORY NO. 2.5:

State:

- (a) your present residence ADDRESS;
- (b) your residence ADDRESSES for the last five years; and
- (c) the dates you lived at each ADDRESS.

RESPONSE TO FORM INTERROGATORY NO. 2.5:

Responding Party can be contacted through defense counsel.

FORM INTERROGATORY NO. 17.1:

Is your response to each request for admission served with these interrogatories an unqualified admission? If not, for each response that is not an unqualified admission:

- (a) state the number of the request;
- (b) state all facts upon which you base your response;
- (c) state the names, ADDRESSES, and telephone numbers of all PERSONS who have knowledge of those facts; and

(d) identify all DOCUMENTS and other tangible things that support your response and state the name, ADDRESS, and telephone number of the PERSON who has each DOCUMENT or thing.

RESPONSE TO FORM INTERROGATORY NO. 17.1:

(a) RFA Nos. 1 through 13:

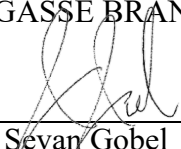
(b) The community consulted with an attorney Jeanne H. McDonald, Esq. as was advised the community did not meet the requirements to be deemed a common interest development under the Davis-Sterling Act;

(c) Responding Party and Jeanne H. McDonald, Esq., Law Offices of Jeanne McDonald, PO Box 2458, Lk Arrowhead, CA 92352-2458; Phone: 818-891-9504; and

(d) None.

Dated: October 15, 2024

LAGASSE BRANCH BELL + KINKEAD LLP

By: 
Sevan Gobel
Artin Avetisove
Attorneys for Defendants
Cameron Hopkins and Jay Dyckman

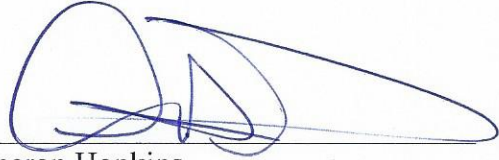
1 Case: Skyler Wells v. Cameron Hopkins, et al.
2 Case No.: 22STCV05843

3 **VERIFICATION**

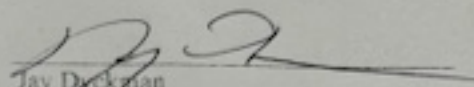
4
5 I, Cameron Hopkins, declare:

6 I am the Defendant in the above-entitled action. I have read the foregoing
7 **DEFENDANT CAMERON HOPKINS AND JAY DYCKMAN'S RESPONSE TO**
8 **PLAINTIFF SKYLER WELLS' FORM INTERROGATORIES - GENERAL, SET**
9 **ONE**, on file herein and know the contents thereof. To the extent I have personal knowledge
10 of the matters set forth herein, the same are true and correct. Insofar as said matters are a
11 composite of the information of many individuals, I do not have personal knowledge
12 concerning all of the information contained in said Response, but I am informed and believe
13 that the information set forth therein for which I lack personal knowledge is true and correct.

14 I declare under penalty of perjury under the laws of the State of California that the
15 foregoing is true and correct. Executed in Los Angeles, California on October 14, 2024.

16
17 
18 Cameron Hopkins

1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct. Executed in Los Angeles, California on October 15, 2024.
3
4

5 
6 Jay Deckman
7
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11

LAGASSE BRANCH BELL + KINKEAD LLP
426 Wilshire Blvd., Suite 1000
Los Angeles, CA 90017
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SUPERIOR COURT OF CALIFORNIA LOS ANGELES COUNTY	COURT USE ONLY
<u>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): TELEPHONE NO.:</u> Sevan Gobel (SBN: 221768) Tel: (213) 817-9152 Artin Avetisove (SBN: 258777) Jeffrey Y. Tsao (SBN: 294379) LAGASSE BRANCH BELL + KINKEAD LLP 626 Wilshire Blvd. Suite 1000 Los Angeles, CA 90017	
<u>SHORT CASE TITLE</u> Skyler Wells v. Cameron Hopkins, et al.	Judge: Hon. Wendy Chang Dept.: 36
<u>ATTORNEY FOR DEFENDANTS:</u> CAMERON HOPKINS AND JAY DYCKMAN	CASE NUMBER: 22STCV05843

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is 626 Wilshire Blvd, Suite 1000, Los Angeles, CA 90017.

On **October 15, 2024**, I caused to be served the within document(s):

1. **DEFENDANT CAMERON HOPKINS'S AND JAY DYCKMAN'S RESPONSE TO PLAINTIFF SKYLER WELLS' FORM INTERROGATORIES – GENERAL, SET ONE**
2. **DEFENDANT CAMERON HOPKINS AND JAY DYCKMAN'S FURTHER RESPONSE TO PLAINTIFF SKYLER WELLS' REQUEST FOR PRODUCTION OF DOCUMENTS, SET ONE**
for each addressee named hereafter and addressed as follows:

James C. Diefenbach
DIEFENBACH LAW GROUP
11835 Carmel Mountain Rd., Suite 1304-313
San Diego CA 92128
Telephone: (858) 524-4950
james@diefenbachlawgroup.com
diefenbachlga@gmail.com
Attorneys for Plaintiff Skyler Wells

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Los Angeles, California 90017
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cyberlaw12@gmail.com
*Attorneys for Defendant/Cross-Complainant,
Cameron Hopkins, an Individual*

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JBE@ezerwilliamsonlaw.com
rew@ezerwilliamsonlaw.com
*Attorneys for Cross-Defendants David
Schiamberg and Marilyn Schiamberg*

- (X) **ONLY BY ELECTRONIC TRANSMISSION.** Only by e-mailing the document(s) to the persons at the e-mail address(es) listed pursuant to Code of Civil Procedure section 1010.6. No electronic message or other indication that the transmission was unsuccessful was received within a reasonable time after the transmission.

Document received by the CA 2nd District Court of Appeal.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on October 15, 2024, at San Diego, California.



Lisa Rodriguez

Document received by the CA 2nd District Court of Appeal.

ROWENA LOFTS - OWNERS MEETING VOTE
BALLOT - 9.18.19

Name: JAY DYCKMAN

Date: 9/18/19

Signature: 

**Please initial over 'YES' or 'NO' as a way of indicating your vote.*

☒ YES / NO - Do you support the Responsible Owners signing a fee agreement to retain lawyer Robert Hillshafer to a) implement amendments to CC&R's, b) aid in the collecting of delinquent dues?

☒ YES / NO - Section 1.1.11 addition to end of provision: and to collect the pro rata share of expenses from each Owner and prosecute any collection action on behalf of all Owners as their appointed Agent.

☒ YES / NO - Section 3.2.1 addition after Easement Maintenance Areas: "The Responsible Owners shall have the express authority of the Owners to initiate and prosecute legal action for the collection of the pro rata share of expenses assessed collectively by the Owners from each Owner. The Responsible Owners shall have the discretion to retain legal counsel, the cost of which shall become an expense which shall be borne collectively in pro rata shares by the Owners hereunder. The Responsible Owners may, in their sole discretion, prosecute any such collection action in Los Angeles Superior Court and shall not be obligated to engage in binding arbitration under Section 5.2 of this Declaration.

☒ YES / NO - Section 3.4 addition after "from the Owners.....": "as well as interest on said sums at 12% per annum commencing 30 days after payment is due and attorney's fees and legal costs incurred in the prosecution of any legal action to collect the respective shares of such costs.

Document received by the CA 2nd District Court of Appeal.

95
YES / NO - Section 3.4.2 addition after "including common utility costs.": "Each Owner shall pay such one-sixth (1/6th) share of such expenses on the first day of each month to the elected Responsible Owners and said payment shall be delinquent if not received by Responsible Owners by the fifteenth day of each month. Notice shall be mailed via first class mail by the elected Responsible Owner to each of the Owners annually to inform concerning the amount of each Owner's share and the due dates for payment of same."

99
YES / NO - Also, addition at end of paragraph: "Notice shall be mailed via first class mail by the elected Responsible Owner to each of the Owners annually to inform concerning the amount of each Owner's share and the due dates for payment of same."

99
YES / NO - Section 5.2 shall be amended to read as follows: "Remedies specified in this Declaration shall be deemed cumulative. Every act or omission whereby any covenant, restriction or condition in this Declaration is violated in whole or in part is hereby declared to be a nuisance and may be enjoined or abated by an Owner, Owners. Upon a two-third's vote of the Owners, the Responsible Owners may act as the representatives of the Owners in an action to enjoin or abate a nuisance. Such actions may be filed in any court of competent jurisdiction in the discretion of the filing party or parties. Upon mutual agreement of the disputing parties, such disputes may be arbitrated upon such terms and conditions agreed to by the parties. The failure of any Owners or Responsible Owners to enforce any of the covenants, restrictions or conditions contained herein shall not be deemed a waiver of the right to enforce the same thereafter or to enforce any other covenant, restriction or condition herein."

Note: this gets rid of the unnecessary and expensive mandatory binding arbitration provision and allows the Responsible Owners to prosecute an enforcement action collectively.

PD
YES / NO - Section 5.3 shall be amend to read as follows: "Owners collectively shall indemnify, defend and hold harmless the Responsible Owners to the fullest extent permitted under California law, in any action, claim, complaint, lawsuit, cross-complaint, judgment or the like, brought by another Owner arising out of or directly or indirectly relating to Responsible Owner's good faith prosecution of any action to collect an Owner's pro rata share of expenses assessed under this Declaration or any enforcement action concerning covenants, restrictions or conditions hereunder, brought as the agent of the Owners which has been approved by a vote of two-thirds (2/3rd) of the Owners at a meeting of the Owners under Section 5.2 hereof.

Note: This provision is designed to protect the lucky Owners who are elected to do the "dirty work" of running the collective aspects of the group.

PD
YES / NO - Section 5.4 shall be amended to read as follows: "In the event of a dispute between an Owner and another Owner or Responsible Owners acting as agents of the Owners, relating to enforcement of this Declaration, excluding actions for collection of pro rata shares of expenses assessed to each Owner, the party seeking to enforce shall comply with the Alternative Dispute Resolution provisions as set forth in Civil Code Section 5925-5955."

Note: current section 5.4 cites provisions in the Davis Stirling Act relative to Internal Dispute Resolution and Alternative Dispute Resolution that have been renumbered. I have deleted the citation to Internal Dispute Resolution because there is no Association and it wouldn't properly apply. However, I have kept the Alternative Dispute Resolution provisions under Section 5925-5955 which requires the disputing party to "offer" prior to filing suit, either mediation, conciliation, binding arbitration or non-binding arbitration and there is a statutory process and time frame for acceptance and completion.

PD
YES / NO - Section 9.4 shall be amended to read as follows: "In the event the Declarant, any Owner or Owners jointly, or the Responsible Owners acting as agent for the Owners collectively should commence any legal or equitable action or proceeding, including judicial reference or binding arbitration, to enforce the provisions of this Declaration, the prevailing party shall be entitled to recover, have judgment against and recover from the other party in such proceeding reasonable attorney's fees and costs of court, judicial reference or arbitration as the court, referee or arbitrator may determine reasonable and appropriate.

ROWENA LOFTS - OWNERS MEETING VOTE
BALLOT - 9.18.19

Name: Genevieve ko Sweet

Date: 9/18/2019

Signature: 

**Please initial over 'YES' or 'NO' as a way of indicating your vote.*

 YES / NO - Do you support the Responsible Owners signing a fee agreement to retain lawyer Robert Hillshafer to a) implement amendments to CC&R's, b) aid in the collecting of delinquent dues?

 YES / NO - Section 1.1.11 addition to end of provision: and to collect the pro rata share of expenses from each Owner and prosecute any collection action on behalf of all Owners as their appointed Agent.

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 YES / NO - Section 3.4 addition after "from the Owners....": "as well as interest on said sums at 12% per annum commencing 30 days after payment is due and attorney's fees and legal costs incurred in the prosecution of any legal action to collect the respective shares of such costs.

Document received by the CA 2nd District Court of Appeal.

YES / NO - Section 3.4.2 addition after "including common utility costs.": "Each Owner shall pay such one-sixth (1/6th) share of such expenses on the first day of each month to the elected Responsible Owners and said payment shall be delinquent if not received by Responsible Owners by the fifteenth day of each month. Notice shall be mailed via first class mail by the elected Responsible Owner to each of the Owners annually to inform concerning the amount of each Owner's share and the due dates for payment of same."

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YES / NO - Section 5.2 shall be amended to read as follows: "Remedies specified in this Declaration shall be deemed cumulative. Every act or omission whereby any covenant, restriction or condition in this Declaration is violated in whole or in part is hereby declared to be a nuisance and may be enjoined or abated by an Owner, Owners. Upon a two-third's vote of the Owners, the Responsible Owners may act as the representatives of the Owners in an action to enjoin or abate a nuisance. Such actions may be filed in any court of competent jurisdiction in the discretion of the filing party or parties. Upon mutual agreement of the disputing parties, such disputes may be arbitrated upon such terms and conditions agreed to by the parties. The failure of any Owners or Responsible Owners to enforce any of the covenants, restrictions or conditions contained herein shall not be deemed a waiver of the right to enforce the same thereafter or to enforce any other covenant, restriction or condition herein."

Note: this gets rid of the unnecessary and expensive mandatory binding arbitration provision and allows the Responsible Owners to prosecute an enforcement action collectively.

 YES / NO - Section 5.3 shall be amended to read as follows: "Owners collectively shall indemnify, defend and hold harmless the Responsible Owners to the fullest extent permitted under California law, in any action, claim, complaint, lawsuit, cross-complaint, judgment or the like, brought by another Owner arising out of or directly or indirectly relating to Responsible Owner's good faith prosecution of any action to collect an Owner's pro rata share of expenses assessed under this Declaration or any enforcement action concerning covenants, restrictions or conditions hereunder, brought as the agent of the Owners which has been approved by a vote of two-thirds (2/3rd) of the Owners at a meeting of the Owners under Section 5.2 hereof."

Note: This provision is designed to protect the lucky Owners who are elected to do the "dirty work" of running the collective aspects of the group.

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Note: current section 5.4 cites provisions in the Davis Stirling Act relative to Internal Dispute Resolution and Alternative Dispute Resolution that have been renumbered. I have deleted the citation to Internal Dispute Resolution because there is no Association and it wouldn't properly apply. However, I have kept the Alternative Dispute Resolution provisions under Section 5925-5955 which requires the disputing party to "offer" prior to filing suit, either mediation, conciliation, binding arbitration or non-binding arbitration and there is a statutory process and time frame for acceptance and completion.

 YES / NO - Section 9.4 shall be amended to read as follows: "In the event the Declarant, any Owner or Owners jointly, or the Responsible Owners acting as agent for the Owners collectively should commence any legal or equitable action or proceeding, including judicial reference or binding arbitration, to enforce the provisions of this Declaration, the prevailing party shall be entitled to recover, have judgment against and recover from the other party in such proceeding reasonable attorney's fees and costs of court, judicial reference or arbitration as the court, referee or arbitrator may determine reasonable and appropriate."

ROWENA LOFTS - OWNERS MEETING VOTE
BALLOT - 9.18.19

Name: CAMERON HOPKINS

Date: 9/18/19

Signature:



**Please initial over 'YES' or 'NO' as a way of indicating your vote.*

CAV

YES / NO - Do you support the Responsible Owners signing a fee agreement to retain lawyer Robert Hillshafer to a) implement amendments to CC&R's, b) aid in the collecting of delinquent dues?

CAO

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CAV

YES / NO - Section 3.2.1 addition after Easement Maintenance Areas: "The Responsible Owners shall have the express authority of the Owners to initiate and prosecute legal action for the collection of the pro rata share of expenses assessed collectively by the Owners from each Owner. The Responsible Owners shall have the discretion to retain legal counsel, the cost of which shall become an expense which shall be borne collectively in pro rata shares by the Owners hereunder. The Responsible Owners may, in their sole discretion, prosecute any such collection action in Los Angeles Superior Court and shall not be obligated to engage in binding arbitration under Section 5.2 of this Declaration.

CAV

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Document received by the CA 2nd District Court of Appeal.

CASA

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Document received by the CA 2nd District Court of Appeal.

CDH

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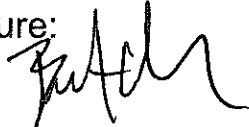
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ROWENA LOFTS - OWNERS MEETING VOTE
BALLOT - 9.18.19

Name: Branden Cohen

Date: 9/18/19

Signature: 

**Please initial over 'YES' or 'NO' as a way of indicating your vote.*

YC
YES / NO - Do you support the Responsible Owners signing a fee agreement to retain lawyer Robert Hillshafer to a) implement amendments to CC&R's, b) aid in the collecting of delinquent dues?

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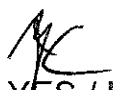
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ROWENA LOFTS - OWNERS MEETING VOTE

BALLOT - 9.18.19

Name: martin park

Date: 9 /18 /19

Signature: martin park 

**Please initial over 'YES' or 'NO' as a way of indicating your vote.*


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James C. Diefenbach (SBN 286177)
DIEFENBACH LAW GROUP
11835 Carmel Mountain Road, Ste. 1304-313
San Diego, CA 92128
Phone: (858) 524-4950
Fax: (866) 606-4703
Email: james@diefenbachlawgroup.com

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County of Los Angeles
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David W. Slayton,
Executive Officer/Clerk of Court,
By A. Lopez, Deputy Clerk

Attorney for Cross-Defendant
SKYLER WELLS

SUPERIOR COURT FOR THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES - CENTRAL JUDICIAL DISTRICT

SKYLER WELLS

Plaintiff.

vs.

CAMERON HOPKINS, and JAY DYCKMAN

Defendants.

CAMERON HOPKINS

Cross-Complainant.

vs.

SKYLER WELLS, DAVID SCHIAMBERG,
MARILYN SCHIAMBERG, and ROES 1-20

Cross-Defendants.

) Case No. 22STCV05843
) [Unlimited Civil Action]

) **CROSS-DEFENDANT SKYLER WELLS**
) **EVIDENTIARY OBJECTIONS TO**
) **DECLARATIONS AND EXHIBITS IN**
) **SUPPORT OF DEFENDANT OPPOSITION**
) **TO CROSS-DEFENDANT SKYLER**
) **WELLS MOTION FOR SUMMARY**
) **ADJUDICATION OF ISSUES**

) [Filed Concurrently with Reply, Declaration of
) James C. Diefenbach, and Declaration of
) Skyler Wells]

) **DEPT: 36**

) **JUDGE: Hon. Wendy Chang**

) **DATE: January 23, 2025**

) **TIME: 8:30 a.m.**

Cross-Defendant Skyler Wells ("Cross-Defendant") hereby make the following objections to the declaration and exhibits submitted in connection with Cross-Complainant Cameron Hopkins ("Cross-Complainant") Opposition to Cross-Defendant Motion for Summary Adjudication of Issues:

**I. OBJECTIONS TO CROSS-COMPLAINANT CAMERON HOPKINS
DECLARATION AND EXHIBITS IN SUPPORT OF CROSS-COMPLAINANT
OPPOSITION TO CROSS-DEFENDANT MOTION FOR SUMMARY ADJUDICATION
OF ISSUES**

No.	Material Objected To	Grounds For Objection	Ruling On Objection
1	Declaration of Cameron Hopkins ¶ 2 "authorized to bring this action on my own behalf as well as on behalf of the other owners under the Rowena Lofts Covenants, Conditions, and Restrictions (CC&Rs) and 2019 Amendment to the CC&Rs"	Improper Legal Conclusion. (Hayman v. Block (1986) 176 Cal.App.3d 629, pp. 638-39 ["affidavits must cite evidentiary facts, not legal conclusions or 'ultimate' facts"].)	☐ Sustained ☐ Overruled
2	Declaration of Cameron Hopkins ¶ 3 "Since 2012, Cross-Defendant Skyler Wells failed to make a single payment towards his share of the required Rowena Lofts community common area maintenance dues."	Lack of Foundation/No Personal Knowledge (EVID §§ 702(a), 800) (Cameron Hopkins has not established his foundation for alleged events occurring prior to March 2018 or 2019.)	☐ Sustained ☐ Overruled
3	Declaration of Cameron Hopkins ¶ 3 "Under the CC&Rs and determination of the Rowena Lofts owners, every owner in the Rowena Lofts community has been required to pay dues in the amount of \$340 per month to cover common area expenses including general maintenance,	Best (Secondary) Evidence Rule (EVID §§ 1520-23) (Misstates content of a writing.)	☐ Sustained ☐ Overruled

	repairs, gardener, liability insurance, water for both common areas and all individual units in the community; among others."		
4	Declaration of Cameron Hopkins ¶ 3 "common area maintenance dues."	Misleading (EVID § 352) (Dues are for more than common areas maintenance.)	_____ Sustained _____ Overruled
5	Declaration of Cameron Hopkins ¶ 3 "Despite being billed for outstanding dues by our management company, Allstate Management"	Hearsay (EVID § 1200)	_____ Sustained _____ Overruled
6	Declaration of Cameron Hopkins ¶ 3 "Wells continually refused to remit any payments on his account from 2012 through September 2024"	Lack of Foundation/No Personal Knowledge (EVID §§ 702(a), 800) (Cameron Hopkins has not established his foundation for alleged events occurring prior to March 2018 or 2019.)	_____ Sustained _____ Overruled
7	Declaration of Cameron Hopkins ¶ 3 "lost title"	Lack of Foundation/No Personal Knowledge (EVID §§ 702(a), 800) (Cameron Hopkins has not established his foundation for an alleged event.) Hearsay (EVID § 1200)	_____ Sustained _____ Overruled
8	Declaration of Cameron Hopkins ¶ 5 "Rowena Lofts accounts receivable records"	Sham Testimony (D'Amico v. Board of Medical Examiners (1974) 11 Cal.3d 1, 21-22) (Cameron Hopkins failed to produce applicable evidence in discovery responses.) [See Declaration of James C. Diefenbach ("Diefenbach Decl.") at Exhibit A]	_____ Sustained _____ Overruled
9	Declaration of Cameron Hopkins ¶ 5 "The total current amount owed by Wells is \$33,320"	Lack of Foundation/No Personal Knowledge (EVID §§ 702(a), 800) (Cameron Hopkins has not established his foundation for alleged events occurring prior to March 2018 or 2019.)	_____ Sustained _____ Overruled
10	Declaration of Cameron Hopkins ¶ 5 "The amount owed by Wells includes outstanding monthly payments	Lack of Foundation/No Personal Knowledge (EVID §§ 702(a), 800) (Cameron Hopkins has not established his foundation for	_____ Sustained _____ Overruled

	from July 2016 to September 2024.”	alleged events occurring prior to March 2018 or 2019.)	
11	Declaration of Cameron Hopkins ¶ 5 "This figure does not include interest, late fees or attorney's fees."	Improper Legal Conclusion. (Hayman v. Block (1986) 176 Cal.App.3d 629, pp. 638-39 [“affidavits must cite evidentiary facts, not legal conclusions or ‘ultimate’ facts”].)	_____ Sustained _____ Overruled
12	Declaration of Cameron Hopkins ¶ 5 "Outstanding owner's dues owed by Wells prior to July 2016 in the amount of \$8,498.19 were included in the 2016 Judgment entered against Wells and are not sought in this cross-complaint.”	Misleading (EVID § 352) (Misleading based on cross-complaint prayers.) Irrelevant and Prejudicial (EVID §§ 210, 350, 352)	_____ Sustained _____ Overruled
13	Declaration of Cameron Hopkins ¶ 6 "Ongoing Interference"	Misleading (EVID § 352) (Cameron Hopkins failed to produce applicable evidence in discovery responses.) [See Diefenbach Decl. at Exhibit A]	_____ Sustained _____ Overruled
14	Declaration of Cameron Hopkins ¶ 6 "Property Owners’"	Hearsay (EVID § 1200)	_____ Sustained _____ Overruled
15	Declaration of Cameron Hopkins ¶ 6 "other unit owners’ quiet enjoyment of their properties"	Hearsay (EVID § 1200)	_____ Sustained _____ Overruled
16	Declaration of Cameron Hopkins ¶ 6 “my ... quiet enjoyment of their properties”	Misleading (EVID § 352) (Cameron Hopkins failed to produce applicable evidence in discovery responses.) [See Diefenbach Decl. at Exhibit A]	_____ Sustained _____ Overruled
17	Declaration of Cameron Hopkins ¶ 6 "this behavior"	Unintelligible and Unduly Confusing (EVID § 352)	_____ Sustained _____ Overruled
18	Declaration of Cameron Hopkins ¶ 7 “escalating”	Misleading (EVID § 352) (Cameron Hopkins failed to produce evidence showing any escalation in discovery responses.) [See Diefenbach	_____ Sustained _____ Overruled

		Decl. at Exhibit A]	
19	Declaration of Cameron Hopkins ¶ 7 “personal threats of violence and potential harm to the community”	Misleading (EVID § 352) (Cameron Hopkins failed to produce applicable evidence in discovery responses.) [See Diefenbach Decl. at Exhibit A]	_____ Sustained _____ Overruled
20	Declaration of Cameron Hopkins ¶ 7 “I wrote to LAPD Detective Ventura and Sargeant Rey on behalf of myself and the other residents/owners of Rowena Lofts regarding Wells’ continuing violent threats.”	Irrelevant (EVID § 350) (Evidence cited is not a police report, but instead a self-serving statement that has no probative value as to the alleged conduct of Skyler Wells.)	_____ Sustained _____ Overruled
21	Declaration of Cameron Hopkins ¶ 7 “the other residents/owners of Rowena Lofts”	Hearsay (EVID § 1200)	_____ Sustained _____ Overruled
22	Declaration of Cameron Hopkins ¶ 7 “Wells’ continuing violent threats”	Misleading (EVID § 352) (Cameron Hopkins failed to produce evidence showing any continuation in discovery responses.) [See Diefenbach Decl. at Exhibit A]	_____ Sustained _____ Overruled
23	Declaration of Cameron Hopkins ¶ 7 “violent threats”	Best (Secondary) Evidence Rule (EVID §§ 1520-23) (Misstates content of a writing.) Misleading (EVID § 352) (Cameron Hopkins failed to produce applicable evidence in discovery responses.) [See Diefenbach Decl. at Exhibit A]	_____ Sustained _____ Overruled
24	Declaration of Cameron Hopkins ¶ 7 “Ventura and Rey were familiar with Wells based on prior incidents involving Wells and other Rowena Lofts owners, guests, visitors and neighbors over the years.”	Hearsay (EVID § 1200)	_____ Sustained _____ Overruled
25	Declaration of Cameron Hopkins ¶ 8 “tortious acts”	Improper Legal Conclusion. (Hayman v. Block (1986) 176 Cal.App.3d 629, pp. 638-39 [“affidavits must cite evidentiary facts, not legal conclusions or ‘ultimate’ facts”].)	_____ Sustained _____ Overruled

26	Declaration of Cameron Hopkins ¶ 8 "during this time"	Unintelligible and Unduly Confusing (EVID § 352)	☐ Sustained ☐ Overruled
27	Declaration of Cameron Hopkins ¶ 8 "Accumulating rotting trash and debris outside of his unit, creating a sanitation hazard and attracting pests."	Misleading (EVID § 352) (Cameron Hopkins failed to produce applicable evidence in discovery responses.) [See Diefenbach Decl. at Exhibit A] Lack of Foundation/No Personal Knowledge (EVID §§ 702(a), 800) (Cameron Hopkins has not established his foundation for alleged events.)	☐ Sustained ☐ Overruled
28	Declaration of Cameron Hopkins ¶ 8 "Smashing glass jars and blocking access with debris and trash in common areas, creating dangerous conditions for residents and visitors."	Misleading (EVID § 352) (Cameron Hopkins failed to produce applicable evidence in discovery responses.) [See Diefenbach Decl. at Exhibit A] Lack of Foundation/No Personal Knowledge (EVID §§ 702(a), 800) (Cameron Hopkins has not established his foundation for alleged events.)	☐ Sustained ☐ Overruled
29	Declaration of Cameron Hopkins ¶ 8 "Threatening myself, my family and other property owners with written threats of gun violence and retribution ("eye for an eye") if anyone interferes with Wells exclusive use of areas proximate to his unit that the CC&Rs define as common easements."	Misleading (EVID § 352) (Cameron Hopkins failed to produce applicable evidence in discovery responses.) [See Diefenbach Decl. at Exhibit A] Lack of Foundation/No Personal Knowledge (EVID §§ 702(a), 800) (Cameron Hopkins has not established his foundation for alleged events.) Lack of Foundation/No Personal Knowledge (EVID §§ 702(a), 800) (Cameron Hopkins has not established his foundation for alleged events occurring prior to March 2018 or 2019.)	☐ Sustained ☐ Overruled
30	Declaration of Cameron Hopkins ¶ 8 "my family and	Hearsay (EVID § 1200)	☐ Sustained

	other property owners"		_____ Overruled
31	Declaration of Cameron Hopkins ¶ 8 "that the CC&Rs define as common easements"	Improper Legal Conclusion. (Hayman v. Block (1986) 176 Cal.App.3d 629, pp. 638-39 ["affidavits must cite evidentiary facts, not legal conclusions or 'ultimate' facts"].)	_____ Sustained _____ Overruled
32	Declaration of Cameron Hopkins ¶ 8 "Wells sent a letter, dated January 11, 2018, to all Rowena Loft owners and residents"	Lack of Foundation/No Personal Knowledge (EVID §§ 702(a), 800) (Cameron Hopkins has not established his foundation for alleged events occurring prior to March 2018 or 2019.) Hearsay (EVID § 1200)	_____ Sustained _____ Overruled
33	Declaration of Cameron Hopkins ¶ 8 "A copy of the letter was left taped to the entry of my unit after I purchased my unit."	Lack of Foundation/No Personal Knowledge (EVID §§ 702(a), 800) (Cameron Hopkins has not established his foundation for alleged events occurring prior to March 2018.) Misleading (EVID § 352) (Skyler Wells did not provide the letter to Cameron Hopkins. On January 11, 2018, Skyler Wells placed the letter on the ground below the front door of 3343 Rowena Avenue, Los Angeles, CA 90027 for owners Paul Asplund and Karl Dunn. On January 12, 2018, Skyler Wells observed that the letter was no longer present on the ground below the front door of 3343 Rowena Avenue, Los Angeles, CA 90027 and the letter was not taped to the entry of 3343 Rowena Avenue, Los Angeles, CA 90027. Between January 12, 2018 and March 2018, Skyler Wells observed that the letter was no longer present on the ground below the front door of 3343 Rowena Avenue, Los	_____ Sustained _____ Overruled

		Angeles, CA 90027 and the letter was not taped to the entry of 3343 Rowena Avenue, Los Angeles, CA 90027)	
34	Declaration of Cameron Hopkins ¶ 8 “I am Skyler Well, the owner of 3345 1/2 Rowena Avenue . . . during my lifetime, which I expect to be another 50-60 years. . . I will never sell or transfer ownership of my property/lot. In January - April 2018, I am maintaining the entire exterior of my property/lot . . . I will complete maintenance of the entire exterior of my property . . . without interference and without exception as I have done since December 2012.”	Lack of Foundation/No Personal Knowledge (EVID §§ 702(a), 800) (Cameron Hopkins has not established his foundation for alleged events occurring prior to March 2018.) Misleading (EVID § 352) (Skyler Wells did not provide the letter to Cameron Hopkins. On January 11, 2018, Skyler Wells placed the letter on the ground below the front door of 3343 Rowena Avenue, Los Angeles, CA 90027 for owners Paul Asplund and Karl Dunn. On January 12, 2018, Skyler Wells observed that the letter was no longer present on the ground below the front door of 3343 Rowena Avenue, Los Angeles, CA 90027 and the letter was not taped to the entry of 3343 Rowena Avenue, Los Angeles, CA 90027. Between January 12, 2018 and March 2018, Skyler Wells observed that the letter was no longer present on the ground below the front door of 3343 Rowena Avenue, Los Angeles, CA 90027 and the letter was not taped to the entry of 3343 Rowena Avenue, Los Angeles, CA 90027) Best (Secondary) Evidence Rule (EVID §§ 1520-23) (Misstates content of a writing.)	_____ Sustained _____ Overruled
35	Declaration of Cameron Hopkins ¶ 8 “I am a registered gun and stun gun owner and will use these weapons according to the applicable	Lack of Foundation/No Personal Knowledge (EVID §§ 702(a), 800) (Cameron Hopkins has not established his foundation for alleged events occurring prior to	_____ Sustained _____ Overruled

	laws to protect myself and my entire property/lot.”	March 2018.) Misleading (EVID § 352) (Skyler Wells did not provide the letter to Cameron Hopkins. On January 11, 2018, Skyler Wells placed the letter on the ground below the front door of 3343 Rowena Avenue, Los Angeles, CA 90027 for owners Paul Asplund and Karl Dunn. On January 12, 2018, Skyler Wells observed that the letter was no longer present on the ground below the front door of 3343 Rowena Avenue, Los Angeles, CA 90027 and the letter was not taped to the entry of 3343 Rowena Avenue, Los Angeles, CA 90027. Between January 12, 2018 and March 2018, Skyler Wells observed that the letter was no longer present on the ground below the front door of 3343 Rowena Avenue, Los Angeles, CA 90027 and the letter was not taped to the entry of 3343 Rowena Avenue, Los Angeles, CA 90027) Best (Secondary) Evidence Rule (EVID §§ 1520-23) (Misstates content of a writing.)	
36	Declaration of Cameron Hopkins ¶ 8 “Again I am a registered gun and stun gun owner and will use these weapons according to the law to protect myself and my entire property/lot. The handling of any weapon of deadly force, or tool which resembles in any manner a weapon of deadly force, by a person other than myself on my property/lot will be met with self-defense use of my gun and/or stun gun.”	Lack of Foundation/No Personal Knowledge (EVID §§ 702(a), 800) (Cameron Hopkins has not established his foundation for alleged events occurring prior to March 2018.) Misleading (EVID § 352) (Skyler Wells did not provide the letter to Cameron Hopkins. On January 11, 2018, Skyler Wells placed the letter on the ground below the front door of 3343 Rowena Avenue, Los	_____ Sustained _____ Overruled

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		Angeles, CA 90027 for owners Paul Asplund and Karl Dunn. On January 12, 2018, Skyler Wells observed that the letter was no longer present on the ground below the front door of 3343 Rowena Avenue, Los Angeles, CA 90027 and the letter was not taped to the entry of 3343 Rowena Avenue, Los Angeles, CA 90027. Between January 12, 2018 and March 2018, Skyler Wells observed that the letter was no longer present on the ground below the front door of 3343 Rowena Avenue, Los Angeles, CA 90027 and the letter was not taped to the entry of 3343 Rowena Avenue, Los Angeles, CA 90027) Best (Secondary) Evidence Rule (EVID §§ 1520-23) (Misstates content of a writing.)	
37	Declaration of Cameron Hopkins ¶ 8 “2018, and every year thereafter . . . can be a battle at Rowena Lofts which no other property owner at Rowena Lofts will win.”	Lack of Foundation/No Personal Knowledge (EVID §§ 702(a), 800) (Cameron Hopkins has not established his foundation for alleged events occurring prior to March 2018.) Misleading (EVID § 352) (Skyler Wells did not provide the letter to Cameron Hopkins. On January 11, 2018, Skyler Wells placed the letter on the ground below the front door of 3343 Rowena Avenue, Los Angeles, CA 90027 for owners Paul Asplund and Karl Dunn. On January 12, 2018, Skyler Wells observed that the letter was no longer present on the ground below the front door of 3343 Rowena Avenue, Los Angeles, CA 90027 and the letter was not taped to the entry of 3343	_____ Sustained _____ Overruled

		Rowena Avenue, Los Angeles, CA 90027. Between January 12, 2018 and March 2018, Skyler Wells observed that the letter was no longer present on the ground below the front door of 3343 Rowena Avenue, Los Angeles, CA 90027 and the letter was not taped to the entry of 3343 Rowena Avenue, Los Angeles, CA 90027)	
		Best (Secondary) Evidence Rule (EVID §§ 1520-23) (Misstates content of a writing. The writing states "2018, and every year thereafter, can be a great year at Rowena Lofts filled with cooperation and increased property values".)	
38	Declaration of Cameron Hopkins ¶ 8 "Wells, through his assistant"	Lack of Foundation/No Personal Knowledge (EVID §§ 702(a), 800) (Cameron Hopkins has not established his foundation for alleged event.) Hearsay (EVID § 1200)	_____ Sustained _____ Overruled
39	Declaration of Cameron Hopkins ¶ 8 "threatening"	Best (Secondary) Evidence Rule (EVID §§ 1520-23) (Misstates content of a writing.)	_____ Sustained _____ Overruled
40	Declaration of Cameron Hopkins ¶ 8 "small dead section of a cactus in the front of the property was allegedly trimmed"	Misleading (EVID § 352) (Cameron Hopkins is responsible for the use of a machete to chopping off 30% of Skyler Wells 20 feet tall Euphorbia cactus, resulting in the death of the Euphorbia cactus over the next 12 months.)	_____ Sustained _____ Overruled
41	Declaration of Cameron Hopkins ¶ 8 "I control the pedestrian promenade directly in front of this Euphorbia cactus . . . You and your contractors have no right to destroy my property. I	Hearsay (EVID § 1200) (This email was not prepared by Skyler Wells or sent by Skyler Wells to Cameron Hopkins.) Best (Secondary) Evidence Rule (EVID §§ 1520-23) (Misstates	_____ Sustained _____ Overruled

	purchased, planted, watered, fed and loved this Euphorbia cactus for 7 years and last week your contractor chopped off 30% of this living property of mine. How would you feel if I chop off the arm of your living child, sibling or parent? By trespassing on my property and chopping off the arm of my living property, you have given me the right to trespass on your property and destroy \$3,000 worth of your living or not living property. I believe in an eye for an eye, therefore expect this retribution because I guarantee it will happen.”	content of a writing.)	
42	Declaration of Cameron Hopkins ¶ 8 "other Rowena Loft property owners and Allstate Management"	Hearsay (EVID § 1200)	_____ Sustained _____ Overruled
43	Declaration of Cameron Hopkins ¶ 8 "other Rowena Loft property owners"	Misleading (EVID § 352) (Cameron Hopkins is the only owner who received the email.)	_____ Sustained _____ Overruled
44	Declaration of Cameron Hopkins ¶ 8 'threatening to financially destroy us and to seek “personal justice”	Inadmissible mediation and settlement communication pursuant to EVID §§ 1119 and 1152, et seq.	_____ Sustained _____ Overruled
45	Declaration of Cameron Hopkins ¶ 8 “All Rowena Lofts “Responsible Owners: from 2012 - present will be defendants in the \$1,500,000 lawsuit for negligence to maintain the sewer pipe located on an easement under Lot #1 (3345 ½ Rowena Avenue, Los Angeles, CA 90027). I will financially destroy Rowena Lofts, Rowena HOA, Rowena Lofts	Inadmissible mediation and settlement communication pursuant to EVID §§ 1119 and 1152, et seq.	_____ Sustained _____ Overruled

	“Responsible Owners” from 2012 - present, and Allstate HOA Management. In addition to legal justice, I will get personal justice on all Rowena Lofts “Responsible Owners” from 2012 - present. I suggest you obtain an attorney and a bodyguard.”		
46	Declaration of Cameron Hopkins ¶ 9 "Wells threats of violence forced myself ... to avoid using common easements proximate to Wells' unit, forego doing landscaping or other maintenance in the common areas for fear of Wells' threats of violence and retribution.	Misleading (EVID § 352) (Cameron Hopkins failed to produce applicable evidence in discovery responses.) [See Diefenbach Decl. at Exhibit A]	_____ Sustained _____ Overruled
47	Declaration of Cameron Hopkins ¶ 9 "Wells threats of violence forced ... the other owners, residents and guests of Rowena Lofts to avoid using common easements proximate to Wells' unit, forego doing landscaping or other maintenance in the common areas for fear of Wells' threats of violence and retribution.”	Hearsay (EVID § 1200) Misleading (EVID § 352) (Cameron Hopkins failed to produce applicable evidence in discovery responses.) [See Diefenbach Decl. at Exhibit A]	_____ Sustained _____ Overruled
48	Declaration of Cameron Hopkins ¶ 9 “threats of violence and retribution”	Best (Secondary) Evidence Rule (EVID §§ 1520-23) (Misstates content of a writing.)	_____ Sustained _____ Overruled
49	Declaration of Cameron Hopkins ¶ 9 "In addition to his continued sinister threats of violence towards those around him, Wells disabled and removed the irrigation system for the entire development, yelled obscenities and threats to passersby, broke the window of a neighboring property with a projectile, stacked rotten garbage outside	Lack of Foundation/No Personal Knowledge (EVID §§ 702(a), 800) (Cameron Hopkins has not established his foundation for alleged events.) Hearsay (EVID § 1200) Misleading (EVID § 352) (Cameron Hopkins failed to produce applicable evidence in discovery responses.) [See	_____ Sustained _____ Overruled

	his unit, prevented, and unilaterally removed all landscaping from the front of the development leaving the entire street facing section of the property bare.”	Diefenbach Decl. at Exhibit A]	
50	Declaration of Cameron Hopkins ¶ 9 "continued sinister threats of violence"	Misleading (EVID § 352) (Cameron Hopkins failed to produce applicable evidence in discovery responses.) [See Diefenbach Decl. at Exhibit A] Misleading (EVID § 352) (Cameron Hopkins failed to produce evidence showing any continuation in discovery responses.) [See Diefenbach Decl. at Exhibit A] Best (Secondary) Evidence Rule (EVID §§ 1520-23) (Misstates content of a writing.)	_____ Sustained _____ Overruled
51	Declaration of Cameron Hopkins ¶ 9 "sinister"	Improper Legal Conclusion. (Hayman v. Block (1986) 176 Cal.App.3d 629, pp. 638-39 [“affidavits must cite evidentiary facts, not legal conclusions or ‘ultimate’ facts”].)	_____ Sustained _____ Overruled
52	Declaration of Cameron Hopkins ¶ 9 "irrigation system for the entire development"	Improper Legal Conclusion. (Hayman v. Block (1986) 176 Cal.App.3d 629, pp. 638-39 [“affidavits must cite evidentiary facts, not legal conclusions or ‘ultimate’ facts”].) Misleading (EVID § 352) (Cameron Hopkins failed to produce applicable evidence in discovery responses.) [See Diefenbach Decl. at Exhibit A]	_____ Sustained _____ Overruled
53	Declaration of Cameron Hopkins ¶ 10 “threats of violence”	Best (Secondary) Evidence Rule (EVID §§ 1520-23) (Misstates content of a writing.)	_____ Sustained _____ Overruled
54	Declaration of Cameron Hopkins ¶ 10 “Wells has never	Misleading (EVID § 352) (On January 10, 2025, during the	Sustained

	retracted his threats of violence or apologized.”	deposition taken of Skyler Wells, Skyler Wells informed Cameron Hopkins that he was very upset and emotionally stressed when the statements ["I will initiate a campaign to destroy Rowena Lofts, including all properties and vehicles within." and "I will start by throwing all of the toilet paper and feces directly in front of my property onto all front doors, garage doors and vehicles."] were made on December 17, 2020, several hours after Skyler Wells discovered the Sewer Blackwater Property Loss caused by Cameron Hopkins and Cameron Hopkins attempted to blame the Sewer Blackwater Property Loss on Skyler Wells, Skyler Wells regrets making the statements, and Skyler Wells did not act on the statements.)	_____ Overruled
55	Declaration of Cameron Hopkins ¶ 11 "Brandon Cohen, the other Rowena Lofts Responsible Owner at the time"	Hearsay (EVID § 1200)	_____ Sustained _____ Overruled
56	Declaration of Cameron Hopkins ¶ 11 "Davis-Stirling Act expert"	Lack of Foundation (EVID § 702(a)) (Cameron Hopkins did not lay the foundation for this alleged expert.) Improper Opinion Evidence (EVID §§ 720, 800-803) (Improper opinion evidence that does not lay a foundation as to the individual's special knowledge, skill, experience, training, and education or a statement of the basis of the opinion)	_____ Sustained _____ Overruled
57	Declaration of Cameron Hopkins ¶ 11 "on behalf of the Rowena Loft owners"	Hearsay (EVID § 1200)	_____ Sustained _____ Overruled

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2	58	Declaration of Cameron Hopkins ¶ 11 'without turning the development into a Common Interest Development ("CID")'	Improper Legal Conclusion. (Hayman v. Block (1986) 176 Cal.App.3d 629, pp. 638-39 ["affidavits must cite evidentiary facts, not legal conclusions or 'ultimate' facts"].) Misleading (EVID § 352) (Rowena Lofts is a Common Interest Development (CID) of type Planned Development or Planned Unit Development (PUD).)
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9	59	Declaration of Cameron Hopkins ¶ 11 "The Davis-Stirling Act regulates common interest developments ("CIDs"). If your CC&Rs contained all the requisites for being a CID, then you would be required to comply with all of those Davis-Stirling requirements. Your CC&Rs were carefully crafted to avoid that. In order to be a CID, the project has to have CC&Rs, and the CC&Rs have to contain a statement that the CID is a planned development and the name of the HOA. Civ. Code Sections 4200, 4250. Yours don't have either statement, and in fact they don't require an HOA at all."	Misleading (EVID § 352) (CIV § 4200 does not state "the CC&Rs have to contain a statement the CID is a planned development and the name of the HOA.") Misleading (EVID § 352) (Rowena Lofts is the name of the association stated as "Declaration shall mean and refer to this enabling Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Rowena Lofts" in section 1.1.4, and "Declaration...For Rowena Lofts" on page 2 and page 5 of the CC&Rs (Declaration). Planned Development is the type of Common Interest Development stated as "this residential planned development" in section 10.1 of the CC&Rs (Declaration). [See Cross-Defendant Compendium of Exhibits at Exhibit 02] Accordingly, the CC&Rs (Declaration) is the declaration of a Common Interest Development, pursuant to CIV § 4250.)
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		Improper Legal Conclusion. (Hayman v. Block (1986) 176 Cal.App.3d 629, pp. 638-39) (Rowena Lofts is the name of the association stated as “Declaration shall mean and refer to this enabling Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Rowena Lofts” in section 1.1.4, and “Declaration...For Rowena Lofts” on page 2 and page 5 of the CC&Rs (Declaration). Planned Development is the type of Common Interest Development stated as “this residential planned development” in section 10.1 of the CC&Rs (Declaration). [See Cross-Defendant Compendium of Exhibits at Exhibit 02] Accordingly, the CC&Rs (Declaration) is the declaration of a Common Interest Development, pursuant to CIV § 4250.) Inadmissible Conclusion (EVID § 803) (Trujillo v. First Am. Registry, Inc. (2008) 157 Cal. App. 4th 628, 635) (Rowena Lofts is the name of the association stated as “Declaration shall mean and refer to this enabling Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Rowena Lofts” in section 1.1.4, and “Declaration...For Rowena Lofts” on page 2 and page 5 of the CC&Rs (Declaration). Planned Development is the type of Common Interest Development stated as “this residential planned	
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		development” in section 10.1 of the CC&Rs (Declaration). [See Cross-Defendant Compendium of Exhibits at Exhibit 02] Accordingly, the CC&Rs (Declaration) is the declaration of a Common Interest Development, pursuant to CIV § 4250.)	
60	Declaration of Cameron Hopkins ¶ 11 "maintained as a business record by Rowena Lofts Responsible Owners"	Improper Legal Conclusion. (Hayman v. Block (1986) 176 Cal.App.3d 629, pp. 638-39) (Rowena Lofts association is an unregistered HOA and therefore lacks the proper legal registration to be considered a business. Accordingly, Rowena Lofts association does not qualify for the hearsay rule exemption for business records under EVID § 1271.)	_____ Sustained _____ Overruled
61	Declaration of Cameron Hopkins ¶ 12 “Prior to foreclosure of his unit"	Irrelevant (EVID § 350)	_____ Sustained _____ Overruled
62	Declaration of Cameron Hopkins ¶ 12 “Prior to foreclosure of his unit, Wells failed to comply with any aspect of any order set forth in the 2016 Judgment entered by the Honorable Ernest M. Hiroshima against Wells and in favor of his fellow Rowena Lofts owners in Los Angeles Superior Court Case No. BS162671.”	Improper Legal Conclusion. (Hayman v. Block (1986) 176 Cal.App.3d 629, pp. 638-39 [“affidavits must cite evidentiary facts, not legal conclusions or ‘ultimate’ facts”].) Hearsay (EVID § 1200) (Cameron Hopkins is not a party to Los Angeles Superior Court Case No. BS162671.)	_____ Sustained _____ Overruled
63	Declaration of Cameron Hopkins ¶ 13 “In that case, the Court determined the rights of the Rowena Loft parties in regards to the common areas [equal access and control], ordered Wells to pay for the restoration of the common areas, ordered Wells to pay	Best (Secondary) Evidence Rule (EVID §§ 1520-23) (Misstates content of a writing.)	_____ Sustained _____ Overruled

	outstanding common area fees, and ordered Wells to pay attorney costs and arbitrator fees."		
64	Declaration of Cameron Hopkins ¶ 14 "As of the date of this Declaration, Wells has failed to comply with any of the orders contained in the 2016 Judgment."	Improper Legal Conclusion. (Hayman v. Block (1986) 176 Cal.App.3d 629, pp. 638-39 ["affidavits must cite evidentiary facts, not legal conclusions or 'ultimate' facts"].) Hearsay (EVID § 1200) (Cameron Hopkins is not a party to Los Angeles Superior Court Case No. BS162671.)	_____ Sustained _____ Overruled
65	Declaration of Cameron Hopkins ¶ 15 "Substantial Interference and Nuisance"	Improper Legal Conclusion. (Hayman v. Block (1986) 176 Cal.App.3d 629, pp. 638-39 ["affidavits must cite evidentiary facts, not legal conclusions or 'ultimate' facts"].)	_____ Sustained _____ Overruled
66	Declaration of Cameron Hopkins ¶ 15 "substantially and unreasonably"	Improper Legal Conclusion. (Hayman v. Block (1986) 176 Cal.App.3d 629, pp. 638-39 ["affidavits must cite evidentiary facts, not legal conclusions or 'ultimate' facts"].)	_____ Sustained _____ Overruled
67	Declaration of Cameron Hopkins ¶ 15 "Blocking access to shared common walkways and easements"	Misleading (EVID § 352) (Cameron Hopkins failed to produce applicable evidence in discovery responses.) [See Diefenbach Decl. at Exhibit A]	_____ Sustained _____ Overruled
68	Declaration of Cameron Hopkins ¶ 15 "Accumulating and refusing to remove trash and debris"	Misleading (EVID § 352) (Cameron Hopkins failed to produce applicable evidence in discovery responses.) [See Diefenbach Decl. at Exhibit A]	_____ Sustained _____ Overruled
69	Declaration of Cameron Hopkins ¶ 15 "violent threats"	Best (Secondary) Evidence Rule (EVID §§ 1520-23) (Misstates content of a writing.)	_____ Sustained _____ Overruled
70	Declaration of Cameron Hopkins ¶ 15 "my children and my guests"	Hearsay (EVID § 1200)	_____ Sustained _____ Overruled

71	Declaration of Cameron Hopkins ¶ 15 "which contributed to my decision to move out of Rowena Lofts in July, 2020"	Sham Testimony (D'Amico v. Board of Medical Examiners (1974) 11 Cal.3d 1, 21-22) (Cameron Hopkins never resided at 3343 Rowena Avenue, Los Angeles, CA 90027.) [See Diefenbach Decl. at Exhibit A]	_____ Sustained _____ Overruled
72	Declaration of Cameron Hopkins ¶ 16 "ongoing nuisance"	Improper Legal Conclusion. (Hayman v. Block (1986) 176 Cal.App.3d 629, pp. 638-39 [“affidavits must cite evidentiary facts, not legal conclusions or ‘ultimate’ facts”].) Misleading (EVID § 352) (Cameron Hopkins failed to produce evidence showing any ongoing in discovery responses.) [See Diefenbach Decl. at Exhibit A]	_____ Sustained _____ Overruled
73	Declaration of Cameron Hopkins ¶ 16 "during the period of time that Wells resided at Rowena Lofts"	Lack of Foundation/No Personal Knowledge (EVID §§ 702(a), 800) (Cameron Hopkins has not established his foundation for alleged events occurring prior to March 2018 or 2019.)	_____ Sustained _____ Overruled
74	Declaration of Cameron Hopkins ¶ 16 "The ongoing nuisance caused me significant emotional distress, financial harm, and a substantial reduction in the enjoyment and value of my property during the period of time that Wells resided at Rowena Lofts."	Inadmissible Conclusion (EVID § 803) (Trujillo v. First Am. Registry, Inc. (2008) 157 Cal. App. 4th 628, 635) (A self-serving statement that has no probative value.) Misleading (EVID § 352) (Cameron Hopkins failed to produce applicable evidence in discovery responses.) [See Diefenbach Decl. at Exhibit A]	_____ Sustained _____ Overruled
75	Declaration of Cameron Hopkins ¶ 16 "reduction in the enjoyment ... of my property"	Inadmissible Conclusion (EVID § 803) (Trujillo v. First Am. Registry, Inc. (2008) 157 Cal. App. 4th 628, 635) (A self-serving statement that has no probative value.) Misleading (EVID § 352) (Cameron Hopkins failed to produce applicable evidence in	_____ Sustained _____ Overruled

		discovery responses.) [See Diefenbach Decl. at Exhibit A]	
76	Declaration of Cameron Hopkins ¶ 16 "reduction in the ... value of my property"	Improper Legal Conclusion. (Hayman v. Block (1986) 176 Cal.App.3d 629, pp. 638-39 [“affidavits must cite evidentiary facts, not legal conclusions or ‘ultimate’ facts”].) Inadmissible Conclusion (EVID § 803) (Trujillo v. First Am. Registry, Inc. (2008) 157 Cal. App. 4th 628, 635) (A self-serving statement that has no probative value.)	_____ Sustained _____ Overruled
77	Declaration of Cameron Hopkins ¶ 16 "financial harm"	Inadmissible Conclusion (EVID § 803) (Trujillo v. First Am. Registry, Inc. (2008) 157 Cal. App. 4th 628, 635) (A self-serving statement that has no probative value.) Misleading (EVID § 352) (Cameron Hopkins failed to produce applicable evidence in discovery responses.) [See Diefenbach Decl. at Exhibit A]	_____ Sustained _____ Overruled
78	Declaration of Cameron Hopkins ¶ 16 "emotional distress"	Inadmissible Conclusion (EVID § 803) (Trujillo v. First Am. Registry, Inc. (2008) 157 Cal. App. 4th 628, 635) (A self-serving statement that has no probative value.) Misleading (EVID § 352) (Cameron Hopkins failed to produce applicable evidence in discovery responses.) [See Diefenbach Decl. at Exhibit A]	_____ Sustained _____ Overruled
79	Declaration of Cameron Hopkins, Exhibit A, Pages 1-3	Irrelevant (EVID § 350) (Evidence cited is not a police report, but instead a self-serving statement that has no probative value as to the alleged conduct of Skyler Wells.) Misleading (EVID § 352) (Evidence cited is not a police	_____ Sustained _____ Overruled

		report, but instead a self-serving statement that has no probative value as to the alleged conduct of Skyler Wells.)	
80	Declaration of Cameron Hopkins, Exhibit A, Pages 4-5	Lack of Foundation/No Personal Knowledge (EVID §§ 702(a), 800) (Cameron Hopkins has not established his foundation for receiving this letter on January 18, 2018, prior to Cameron Hopkins purchase of 3343 Rowena Avenue, Los Angeles, CA 90027 in March 2018.) Lack of Foundation/No Personal Knowledge (EVID §§ 702(a), 800) (Skyler Wells did not provide the letter to Cameron Hopkins. On January 11, 2018, Skyler Wells placed the letter on the ground below the front door of 3343 Rowena Avenue, Los Angeles, CA 90027 for owners Paul Asplund and Karl Dunn. On January 12, 2018, Skyler Wells observed that the letter was no longer present on the ground below the front door of 3343 Rowena Avenue, Los Angeles, CA 90027 and the letter was not taped to the entry of 3343 Rowena Avenue, Los Angeles, CA 90027. Between January 12, 2018 and March 2018, Skyler Wells observed that the letter was no longer present on the ground below the front door of 3343 Rowena Avenue, Los Angeles, CA 90027 and the letter was not taped to the entry of 3343 Rowena Avenue, Los Angeles, CA 90027) Misleading (EVID § 352) (Skyler Wells did not provide the letter to Cameron Hopkins. On January 11, 2018, Skyler	_____ Sustained _____ Overruled

		Wells placed the letter on the ground below the front door of 3343 Rowena Avenue, Los Angeles, CA 90027 for owners Paul Asplund and Karl Dunn. On January 12, 2018, Skyler Wells observed that the letter was no longer present on the ground below the front door of 3343 Rowena Avenue, Los Angeles, CA 90027 and the letter was not taped to the entry of 3343 Rowena Avenue, Los Angeles, CA 90027. Between January 12, 2018 and March 2018, Skyler Wells observed that the letter was no longer present on the ground below the front door of 3343 Rowena Avenue, Los Angeles, CA 90027 and the letter was not taped to the entry of 3343 Rowena Avenue, Los Angeles, CA 90027)	
		Hearsay (EVID § 1200)	
81	Declaration of Cameron Hopkins, Exhibit A, Page 6	Hearsay (EVID § 1200) (This email was not prepared by Skyler Wells or sent by Skyler Wells to Cameron Hopkins.)	☐ Sustained ☐ Overruled
82	Declaration of Cameron Hopkins, Exhibit A, Page 8	Inadmissible mediation and settlement communication pursuant to EVID §§ 1119 and 1152, et seq.	☐ Sustained ☐ Overruled
83	Declaration of Cameron Hopkins, Exhibit A, Pages 9-10	Duplicate to Declaration of Cameron Hopkins, Exhibit A, page 7.	☐ Sustained ☐ Overruled
84	Declaration of Cameron Hopkins, Exhibit B, Page 2, Lines 11-15 (yellow highlighted paragraph)	Improper Opinion Evidence (EVID §§ 720, 800-803) (Improper opinion evidence that does not lay a foundation as to the individual's special knowledge, skill, experience, training, and education or a	☐ Sustained ☐ Overruled

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		statement of the basis of the opinion.) Misleading (EVID § 352) (CIV § 4200 does not state “the CC&Rs have to contain a statement the CID is a planned development and the name of the HOA.”) Misleading (EVID § 352) (Rowena Lofts is the name of the association stated as “Declaration shall mean and refer to this enabling Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Rowena Lofts” in section 1.1.4, and “Declaration...For Rowena Lofts” on page 2 and page 5 of the CC&Rs (Declaration). Planned Development is the type of Common Interest Development stated as “this residential planned development” in section 10.1 of the CC&Rs (Declaration). [See Cross-Defendant Compendium of Exhibits at Exhibit 02] Accordingly, the CC&Rs (Declaration) is the declaration of a Common Interest Development, pursuant to CIV § 4250.) Improper Legal Conclusion. (Hayman v. Block (1986) 176 Cal.App.3d 629, pp. 638-39) (Rowena Lofts is the name of the association stated as “Declaration shall mean and refer to this enabling Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Rowena Lofts” in section 1.1.4, and	
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		“Declaration...For Rowena Lofts” on page 2 and page 5 of the CC&Rs (Declaration). Planned Development is the type of Common Interest Development stated as “this residential planned development” in section 10.1 of the CC&Rs (Declaration). [See Cross-Defendant Compendium of Exhibits at Exhibit 02] Accordingly, the CC&Rs (Declaration) is the declaration of a Common Interest Development, pursuant to CIV § 4250.) Inadmissible Conclusion (EVID § 803) (Trujillo v. First Am. Registry, Inc. (2008) 157 Cal. App. 4th 628, 635) (Rowena Lofts is the name of the association stated as “Declaration shall mean and refer to this enabling Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Rowena Lofts” in section 1.1.4, and “Declaration...For Rowena Lofts” on page 2 and page 5 of the CC&Rs (Declaration). Planned Development is the type of Common Interest Development stated as “this residential planned development” in section 10.1 of the CC&Rs (Declaration). [See Cross-Defendant Compendium of Exhibits at Exhibit 02] Accordingly, the CC&Rs (Declaration) is the declaration of a Common Interest Development, pursuant to CIV § 4250.)	
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1 DATED: January 22, 2025

Respectfully submitted,

DIEFENBACH LAW GROUP



James C. Diefenbach
Attorney for Cross-Defendant
SKYLER WELLS

James C. Diefenbach (SBN 286177)
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Electronically FILED by
Superior Court of California,
County of Los Angeles
1/22/2025 11:02 AM
David W. Slayton,
Executive Officer/Clerk of Court,
By A. Lopez, Deputy Clerk

Attorney for Cross-Defendant
SKYLER WELLS

SUPERIOR COURT FOR THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES - CENTRAL JUDICIAL DISTRICT

SKYLER WELLS

Plaintiff.

vs.

CAMERON HOPKINS, and JAY DYCKMAN

Defendants.

CAMERON HOPKINS

Cross-Complainant.

vs.

SKYLER WELLS, DAVID SCHIAMBERG,
MARILYN SCHIAMBERG, and ROES 1-20

Cross-Defendants.

) Case No. 22STCV05843
) [Unlimited Civil Action]

) **PROOF OF SERVICE**

) **DEPT:** 36

) **JUDGE:** Hon. Wendy Chang

) **DATE:** January 23, 2025

) **TIME:** 8:30 a.m.

CERTIFICATE OF SERVICE

I am employed in the County of San Diego, California. I am over the age of 18 years and not a party to the action. My business address is 11835 Carmel Mountain Road, Suite 1304-313, San Diego, California 92128.

On January 22, 2025, I caused to be served the following document(s): **REPLY TO OPPOSITION TO CROSS-DEFENDANT SKYLER WELLS MOTION FOR SUMMARY ADJUDICATION OF ISSUES; MEMORANDUM OF POINTS AND AUTHORITIES; DECLARATION OF JAMES C. DIEFENBACH IN SUPPORT OF REPLY TO OPPOSITION TO CROSS-DEFENDANT SKYLER WELLS MOTION FOR SUMMARY ADJUDICATION OF ISSUES; DECLARATION OF SKYLER WELLS IN SUPPORT OF REPLY TO OPPOSITION TO CROSS-DEFENDANT SKYLER WELLS MOTION FOR SUMMARY ADJUDICATION OF ISSUES; CROSS-DEFENDANT SKYLER WELLS EVIDENTIARY OBJECTIONS TO DECLARATIONS AND EXHIBITS IN SUPPORT OF DEFENDANT OPPOSITION TO CROSS-DEFENDANT SKYLER WELLS MOTION FOR SUMMARY ADJUDICATION OF ISSUES** on the party(ies) herein by enclosing a copy(ies) thereof addressed as follows:

☒ **BY ELECTRONIC TRANSMISSION** – I transmitted a PDF version(s) of the document(s) by electronic mail to the party(ies) identified on the attached service list using the email address(es) indicated.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 22, 2025, at San Diego, California.



James C. Diefenbach

SERVICE LIST

Lagasse Branch Bell + Kinead Email: aavetisove@lbbklaw.com Email: sgobel@lbbklaw.com Email: jtsao@lbbklaw.com Email: eizaguirre@lbbklaw.com Email: lrodriguez@lbbklaw.com	Attorney for Defendants CAMERON HOPKINS and JAY DYCKMAN
Law Offices of Cameron A. Hopkins Email: cyberlaw12@gmail.com	Attorney for Cross-Complainant CAMERON HOPKINS

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Ezer Williamson Law Email: rew@ezerwilliamsonlaw.com	Attorney for Cross-Defendants DAVID SCHIAMBERG and MARILYN SCHIAMBERG
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SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 36

22STCV05843

SKYLER WELLS vs CAMERON HOPKINS, et al.

January 23, 2025

8:30 AM

Judge: Honorable Wendy Chang
Judicial Assistant: A. Rodriguez
Courtroom Assistant: A. Aguilar

CSR: Michelle Lott-Meyerhofer, CSR # 8226
ERM: None
Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): James Diefenbach via LACC

For Defendant(s): Emma Diana Enriquez via LACC

NATURE OF PROCEEDINGS: Hearing on Motion for Summary Adjudication (5190)

Pursuant to Government Code sections 68086, 70044, and California Rules of Court, rule 2.956, Michelle Lott-Meyerhofer, CSR # 8226, certified shorthand reporter is appointed as an official Court reporter pro tempore in these proceedings, and is ordered to comply with the terms of the Court Reporter Agreement. The Order is signed and filed this date.

The parties and the court reporter, stipulate to waive the requirements regarding remote proceedings pursuant to Government Code § 69959.

The matter is called for hearing.

The Court has read and considered the moving papers, opposition and evidence.

Plaintiff's counsel represents that he was affected by the fires and filed his reply late. Accordingly, he requests a continuance to allow the Court time to review his reply.

After consideration of all documents filed and oral argument, the Court rules as follows:

On the Court's own motion, the Hearing on Motion for Summary Adjudication (5190) scheduled for 01/23/2025 is continued to 01/30/2025 at 08:30 AM in Department 36 at Stanley Mosk Courthouse.

Notice is waived.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 36

22STCV05843

SKYLER WELLS vs CAMERON HOPKINS, et al.

January 30, 2025

8:30 AM

Judge: Honorable Wendy Chang
Judicial Assistant: A. Rodriguez
Courtroom Assistant: A. Aguilar

CSR: None
ERM: None
Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): James Diefenbach via LACC and Skyler Wells via LACC

For Defendant(s): Emma Diana Enriquez via LACC

NATURE OF PROCEEDINGS: Hearing on Motion for Summary Adjudication (5190)

The matter is called for hearing.

The Court has read and considered the moving papers, opposition and evidence.

The Court gives its oral tentative ruling and hears argument from counsel.

The plaintiff Skyler Wells requests to make his oral argument pursuant to CRC 3.219. The Court grants his request.

After consideration of all documents filed and oral argument, the Court adopts the tentative as the order of the Court as follows:

I. Background

This case arises from a dispute between residential property owners.

On February 16, 2022, Plaintiff Skyler Wells filed a Complaint against Defendants Cameron Hopkins and Jay Dyckman.

On March 29, 2022, Plaintiff filed a First Amended Complaint. On December 7, 2022, Plaintiff filed a Second Amended Complaint. On June 9, 2023, Plaintiff filed a Third Amended Complaint. On December 26, 2023, Plaintiff filed a Fourth Amended Complaint ("4AC").

The 4AC alleges four causes of action:

- (1) Breach of CC&Rs
- (2) Negligence
- (3) Negligent Infliction of Emotional Distress

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8:30 AM

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Judicial Assistant: A. Rodriguez

Courtroom Assistant: A. Aguilar

CSR: None

ERM: None

Deputy Sheriff: None

(4) Private Nuisance

On June 10, 2022, Cross-Complainant Cameron Hopkins filed a Cross-Complaint against Cross-Defendants Skyler Wells, David Schiamberg, Marilyn Schiamberg, and Roes 1-20. On August 1, 2022, Cross-Complainant filed a First Amended Cross-Complaint ("FAXC").

The FAXC alleges four causes of action:

- (1) Breach of Contract
- (2) Premises Liability
- (3) Private Nuisance
- (4) Declaratory Relief

Trial in this matter is scheduled for March 28, 2025.

II. Analysis

A. Timeliness

Code of Civil Procedure Section 1005(b) requires that all moving and supporting papers be served and filed at least 16 court days before the hearing, with extended notice if the papers are served by mail. All papers opposing a motion shall be served and filed at least 9 court days before hearing. All reply papers shall be served and filed at least five court days before hearing. (Code Civ. Proc., § 1005(b).)

The motion and opposition were filed timely under Code of Civil Procedure section 1005(b). The reply was not filed timely. However, the Court finds there was good cause for the delay and treats the reply as timely.

Under Code of Civil Procedure Section 437c, a motion for summary judgment may be filed if more than 60 days have elapsed since the filing of the complaint and at least 75 days before trial, with increased notice requirements of up to 20 days depending on the type of service. Oppositions may be filed no later than 14 days before the hearing. Replies may be filed no later than 5 days before the hearing. (Code Civ. Proc., § 473c(a)-(b).)

The motion and opposition were filed timely under Code of Civil Procedure section 473c. The reply was not filed timely. However, the Court finds there was good cause for the delay and treats the reply as timely.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

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Courtroom Assistant: A. Aguilar

CSR: None

ERM: None

Deputy Sheriff: None

B. Procedural Issues

The moving papers are procedurally improper. California Rules of Court Rule 2.108 requires that “[t]he lines on each page must be one and one-half spaced or double-spaced and numbered consecutively.” (Cal. Rules of Court (“CRC”), Rule 2.108(1).) Furthermore, “[e]ach line number must be aligned with a line of type.” (CRC Rule 2.108(4).) “In a summary judgment or summary adjudication motion, no opening or responding memorandum may exceed 20 pages.” (CRC Rule 3.1113(d).)

Here, Cross-Defendant’s memorandum of points and authorities in support of the motion for summary adjudication is exactly 20 pages. The pages are numbered with 28 lines per page, but the line numbers are not aligned with the lines of type. For example, on page 14 of the memorandum, there are 28 lines of type listed but 32 lines of type included. On page 11, which makes generous use of block quotes, there are 28 lines of type listed but 42 lines of type included. The Court finds that if the text were properly spaced, the memorandum would be significantly more than the 20-page limit.

Under CRC Rule 3.1113, “[a] memorandum that exceeds the page limits of these rules must be filed and considered in the same manner as a late-filed paper.” Rule 3.1300 states that the Court in its discretion may refuse to consider a late-filed paper. (CRC Rule 3.1300(d).)

The Court exercises its discretion to consider the memorandum in support of the motion but admonishes counsel to comply with the requirements of the California Rules of Court in future filings. Failure to do so may result in the Court either refusing to consider the non-conforming papers in their entirety without further notice, or the Court stopping its review of the papers at the authorized page limit without further notice.

C. Requests for Judicial Notice

Cross-Defendant requests judicial notice of five exhibits:

- (1) Rowena Lofts Community Tract Map filed in Los Angeles County. (Exhibit A.)
- (2) Rowena Lofts Community Declaration of Covenants, Conditions, and Restrictions filed in Los Angeles County on February 7, 2012. (Exhibit B.)
- (3) Lot 1 Loan Note and Security Instrument filed in Los Angeles County on December 28, 2012. (Exhibit C.)
- (4) Rowena Lofts Community 2019 Amendment to the CC&Rs filed in Los Angeles County on December 23, 2019. (Exhibit D.)
- (5) Los Angeles Superior Court Case No. BS162671 Judgment and Confirmation of Arbitration

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CSR: None
ERM: None
Deputy Sheriff: None

Award. (Exhibit E.)

Judicial notice is **GRANTED** as to all five exhibits.

D. Evidentiary Objections

Cross-Complainant objects to portions of the Declaration of Skyler Wells in support of the Motion for Summary Adjudication.

The following objections are **SUSTAINED**: 1-6, 8, 10-14, 29-30, 33-34, 37.

The following objections are **OVERRULED**: 9, 18-23, 25, 27-28, 31-32, 35-36, 38-39, 43.

Objection 24 is **SUSTAINED IN PART** as to the language “stating: ‘Property: 3345 1/2 Rowena Avenue, Los Angeles, CA 90027. I, David Schiamberg and I, Marilyn Schiamberg, understand and agree that we have co-signed the loan for this property as an accommodation and that Skylar Wells is the 100% owner of this property. We will at all times cooperate with any needs Skylar Wells may have in connection with the fact we are on title to this property. Including but not limited to, refinance of this property and sale of this property.’” The objection is otherwise **OVERRULED IN PART**.

Objection 26 is **SUSTAINED IN PART** as to the language “which is marked with an ‘X’ next to ‘PUD’, with ‘199’ next to ‘HOA \$’ and with an ‘X’ next to ‘per month.’” The objection is otherwise **OVERRULED IN PART**.

Objection 44 is **SUSTAINED IN PART** as to the language “pursuant to the 2016 judgment.” The objection is otherwise **OVERRULED IN PART**.

The following objections are not material to the disposition of this motion but are preserved (Code Civ. Proc. § 437c(q)): 7, 15-17, 40-42.

E. Legal Standard for Summary Judgment and Summary Adjudication

A motion for summary judgment shall be granted if all the papers submitted show that there is no triable issue as to any material fact and that the moving party is entitled to a judgment as a matter of law. (Code Civ. Proc., § 437c(c).)

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CSR: None

ERM: None

Deputy Sheriff: None

A party may also bring a noticed motion for summary adjudication that one or more causes of action has no merit. (Code Civ. Proc., § 437c(f)(1).) “A motion for summary adjudication shall be granted only if it completely disposes of a cause of action, an affirmative defense, a claim for damages, or an issue of duty.” (*Ibid.*) A motion for summary adjudication proceeds in all procedural respects as a motion for summary judgment. (*Id.* at (f)(2).)

A defendant moving for summary judgment must show either (1) one or more elements of the cause of actions cannot be established, or (2) a complete affirmative defense to the cause of action exists. (Code Civ. Proc. § 437c(o), (p)(2).) A defendant may demonstrate that an element of a cause of action cannot be established by showing that the plaintiff does not possess, and cannot reasonably obtain, needed evidence. (*Aguilar v. Atlantic Richfield Co.*(2001) 25 Cal.4th 826, 854,*as modified* (July 11, 2001).)

Once the defendant has met that burden, the burden shifts to the plaintiff to show that a triable issue of one or more material facts exists as to that cause of action or a defense thereto. (*Aguilar v. Atlantic Richfield Co.*(2001) 25 Cal.4th 826, 849,*as modified* (July 11, 2001).) The plaintiff may not rely upon the mere allegations or denials of the pleadings to show that a triable issue of material fact exists but, instead, must “set forth the specific facts showing that a triable issue of material fact exists as to that cause of action or a defense thereto.” (*Ibid.*) A triable issue of material fact exists if the evidence would allow a reasonable trier of fact to find the underlying fact in favor of the party opposing the motion in accordance with the applicable standard of proof. (*Id.* at 850.)

In ruling on a motion for summary judgment or adjudication, the court considers all the evidence and all of the inferences reasonably drawn therefrom and must view such evidence in the light most favorable to the opposing party. (*See id.* at 843; *All of US or None - Riverside Chapter v. Hamrick*(2021) 64 Cal.App.5th 751, 783,*reh'g denied* (June 17, 2021), *review denied* (Sept. 1, 2021).)

F. Discussion

Cross-Defendant Skyler Wells moves for summary adjudication on nine issues in the FAXC:

- (1) **First Cause of Action** for Breach of Contract
- (2) **Second Cause of Action** for Premises Liability
- (3) **Third Cause of Action** for Private Nuisance
- (4) **Claim for damages:** “An order directing each Cross-Defendant to comply with the 2016 Street Address, Pedestrian, Landscaping, Gate, and Park Injunctions and to restore the common

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CSR: None
ERM: None
Deputy Sheriff: None

easements as previously mandated by the Court”

(5) **Claim for damages:** “A judgment reimbursing the current five (5) other property owners for monthly fees they have paid, on behalf of Co-Defendants, for the five (5) years immediately preceding the filing of this Cross-Complaint [Wells’ Lot share is \$340/month]”

(6) **Claim for damages:** “A judgment ..., plus interest, costs and reasonable attorney’s fees.”

(7) **Claim for damages:** “For exemplary and punitive damages in an amount to be determined at trial”

(8) **Claim for damages:** “For prejudgment interest on all other interest to which Cross-Complainant is entitled”

(9) **Claim for damages:** “For Cross-Complainant’s reasonable attorney’s fees incurred in this action pursuant to statute and Governing Documents, as amended”

Issue 1: First Cause of Action for Breach of Contract

Cross-Defendant claims that the first cause of action for breach of contract is improper because they did not get proper notice as required by the Declaration of Covenants, Conditions, and Restrictions for Rowena Lofts (“CC&Rs”). (Wells Decl. ¶ 44.)

Section 5.3 of the original CC&Rs states, “. . . no action to enforce this Declaration shall be instituted unless and until a written notice of such breach setting forth the facts of such breach has been delivered by certified mail to the Owner of such Lot.” (4AC, Ex. A (“Original CC&Rs”) § 5.3.)

Section 5.3 of the amended CC&Rs states,

Owners collectively shall indemnify, defend and hold harmless the Responsible Owners to the fullest extent permitted under California law, in any action, claim, complaint, lawsuit, cross-complaint, judgment or the like, brought by another Owner arising out of or directly or indirectly relating to Responsible Owner's good faith prosecution of any action to collect an Owner's pro rata share of expenses assessed under this Declaration or any enforcement action concerning covenants, restrictions or conditions hereunder, brought as the agent of the Owners which has been approved by a vote of two-thirds (2/3) of the Owners at a meeting of the Owners under Section 5.2 hereof.

(Request for Judicial Notice ISO MSA, Ex. D (“Amended CC&Rs”) at pg. 3.)

In sum, under the original CC&Rs, the breach of contract claim is improper. Under the amended

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22STCV05843

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CSR: None

ERM: None

Deputy Sheriff: None

CC&Rs, the breach of contract claim is properly brought.

Cross-Defendant argues that the amended CC&Rs are invalid because they were not amended in accordance with the procedures required by the Davis-Stirling Act. Cross-Complainant asserts that the Rowena Lofts development case is not governed by the Davis-Stirling Act.

The Davis-Stirling Act governs a development when: “a separate interest coupled with an interest in the common area or membership in the association is, or has been, conveyed” and all of the following have been recorded: (a) a declaration; (b) a condominium plan, if one exists; and (c) a final map or parcel map, if one is required by Gov. Code Title 7. (Civ. Code § 4200.) Cross-Defendant claims that all of the requirements are fulfilled.

The Act specifies the required contents of the Section 4200(a) declaration in Civil Code Section 4250. Civil Code § 4250 states that the declaration must include “a statement that the common interest development is a community apartment project, condominium project, planned development, stock cooperative, or combination thereof. The declaration shall additionally set forth the name of the association and the restrictions on the use or enjoyment of any portion of the common interest development that are intended to be enforceable equitable servitudes.” (Civ. Code § 4250.”

Cross-Defendant points to a single instance in the CC&Rs in which the term “planned development” is used. (CC&Rs § 10.1) This instance occurs 25 pages into the document and is used in the context of the sentence: “The local governmental entity with primary jurisdiction over this residential planned development is the City of Los Angeles, a municipal corporation in the state of California.” (CC&Rs § 10.1.) The Court finds that this incidental use of the phrase does not meet the definition under Civ. Code § 4250.

The Court finds that the requirements under Civil Code Section 4250 are not met, and therefore the requirements of Section 4200(a) are also not met. Because the requirements of Section 4200 are not fulfilled, the development is not governed by the Davis-Stirling Act.

Cross-Defendant also argues that the 2019 amendment is invalid because the CC&Rs were not amended according to the rules of the original CC&Rs. The original CC&Rs states:

Section 7.1 Amendment Vote. This Declaration may be amended only by an affirmative vote of not less than sixty-six and two-thirds percent (66 2/3%) of the Owners, and further, this amendment provision shall not be amended to allow amendments by vote of less than sixty-six and two-thirds percent (66 2/3%) of the Owners. The percentage of the

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

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CSR: None

ERM: None

Deputy Sheriff: None

voting power necessary to amend a specific provision shall not be less than the percentage of affirmative votes prescribed for action to be taken under said provision.

(Original CC&Rs § 7.1 (emphasis in original).)

Although Cross-Defendant states that the voting procedural was improper because Cross-Defendant was not provided with a ballot, there is no admissible evidence before the Court that the amendment was passed in violation of Section 7.1.

Therefore, the Court finds that the 2019 amendment to the CC&Rs governs. Under the amended CC&Rs, there is no requirement that Cross-Defendant be given notice of a claim of breach of contract prior to the filing of a Complaint or Cross-Complaint.

The Motion for Summary Adjudication is **DENIED** as to Issue 1.

Issue 2: Second Cause of Action for Premises Liability

Cross-Defendant argues that the Second Cause of Action fails because Cross-Complainant cannot show physical damages. However, Cross-Defendant's argument is based solely upon the FAXC, not upon admissible evidence. Cross-Defendant fails to meet its burden to show that evidence of physical damages does not exist.

The Motion for Summary Adjudication is **DENIED** as to Issue 2.

Issue 3: Third Cause of Action for Private Nuisance

Cross-Defendant argues that the Third Cause of Action for Private Nuisance fails because "[t]o any reasonable person, the October 22, 2019 Email, December 17, 2020 through December 28, 2020 Emails, and Trash, do not amount to a substantial and unreasonable invasion of their interest in the use and enjoyment of their land, and cannot be characterized as offensive, seriously annoying, or intolerable." (Mot. at 24.) Cross-Defendant's motion does not address the entirety of the claims in the Third Cause of Action, which, in addition to the acts upon which the motion is brought, also allege contemptuous actions and threats of mayhem and violence (FAXC para. 34), threats (including of gun violence) in a January 11, 2018 letter (FAXC para. 35), creating hazardous and dangerous conditions in easements and walkways in close proximity to other unit owner doors and windows (FAXC para. 37), refusal to restore signage (FAXC para 39), refusal to pay maintenance fees (FAXC para 40), generalized personal threats of violence and menacing behavior (FAXC para. 42, 43), and taking a baseball bat to another unit owner's

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Courtroom Assistant: A. Aguilar

CSR: None

ERM: None

Deputy Sheriff: None

security camera (FAXC para. 43). (See FAXC para. 69). Thus, Cross-Defendant's motion does not address, let alone dispose of, the entirety of the cause of action and is denied on that basis. (Code Civ. Proc., § 437c(f)(1).) Independently, as to the items actually identified in the motion, Cross-Defendant relies solely on the Declaration of Skyler Wells (Separate Statement of Undisputed Material Facts ("SSUMF") 88-99, 101, 102 114-115; *see also* Mot. at 24 (citing the same OSSUMF sections).) The Wells declaration is contradicted by the Declaration of Cameron Hopkins. Because the evidence conflicts, the Court finds that there is a triable issue of material fact as to whether the interference was unreasonable.

The Motion for Summary Adjudication is **DENIED** as to Issue 3.

Issues 4, 5, 6, 8 and 9: Various Claim for Damages

"A motion for summary adjudication shall be granted only if it completely disposes of a cause of action, an affirmative defense, a claim for damages, or an issue of duty." (Code Civ. Proc., § 437c(f)(1).)

Still further, Code of Civil Procedure 437c(f)(1)'s language authorizing a motion for summary adjudication on "one or more claims for damages" is ONLY allowed for punitive damage claims, and ONLY if ALL of the punitive damage claims are disposed of by the motion. (*DeCastro West Chodorow & Burns, Inc. v. Sup. Ct.* (1996) 47 Cal. App. 4th 410, 420-421; *Catalano v Sup. Ct.* (2000) 82 Cal. App. 4th 71, 97-98.) Issues numbers 4, 5, 6, 8, 9 and 10 do not meet this standard. Summary adjudication is **DENIED**.

Issue 7: Claim for Damages – Punitive Damages

Cross-Defendant argues that Cross-Complainant cannot establish malice, fraud, or oppression. However, Cross-Defendant relies solely on the Wells Declaration. The Wells declaration is contradicted by the Declaration of Cameron Hopkins. Because the evidence conflicts, the Court finds that there is a triable issue of material fact as to whether malice, fraud or oppression is established.

The Motion for Summary Adjudication is **DENIED** as to Issue 7.

III. Conclusion

The motion for summary adjudication is **DENIED**.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

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8:30 AM

Judge: Honorable Wendy Chang

Judicial Assistant: A. Rodriguez

Courtroom Assistant: A. Aguilar

CSR: None

ERM: None

Deputy Sheriff: None

Clerk is to give notice.

Certificate of Mailing is attached.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 36

22STCV05843

SKYLER WELLS vs CAMERON HOPKINS, et al.

March 28, 2025

8:30 AM

Judge: Honorable Wendy Chang
Judicial Assistant: Araceli Rodriguez
Courtroom Assistant: Arthur Aguilar

CSR: Justus Ballentine, CSR # 13859
ERM: None
Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): James Diefenbach

For Defendant(s): Artin Avetisove; Emma Diana Enriquez; Richard E. Williamson

NATURE OF PROCEEDINGS: Jury Trial (7 days)

Pursuant to Government Code sections 68086, 70044, California Rules of Court, rule 2.956, and the stipulation of appearing parties, Justus Ballentine, CSR # 13859, certified shorthand reporter is appointed as an official Court reporter pro tempore in these proceedings, and is ordered to comply with the terms of the Court Reporter Agreement. The Order is signed and filed this date. The matter is called for hearing.

The Court and counsel confer regarding their readiness for trial and trial documents.

After conferring, the Court rules as follows:

Plaintiff's Motions in Limine

The Plaintiffs and Cross-Defendants Motion in Limine No. 1 to Exclude Records and Documents Not Produced in Discovery filed by SKYLER WELLS on 03/05/2025 is Granted in Part. solely with respect to Exhibit 569.

The Plaintiffs and Cross-Defendants Motion in Limine No. 2 to Exclude Percipient Witnesses Whose Identities Were Known But Not Disclosed in Discovery filed by SKYLER WELLS on 03/05/2025 is Denied.

The Plaintiffs and Cross-Defendants Motion in Limine No. 3 to Exclude Specific Allegations Not Established in Discovery Which are Prejudicial filed by SKYLER WELLS on 03/05/2025 is Denied.

The Plaintiffs and Cross-Defendants Motion in Limine No. 4 to Exclude Specific Evidence Without Foundation and/or That is Time Barred Which is Inadmissible filed by SKYLER WELLS on 03/05/2025 is Denied.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

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22STCV05843

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CSR: Justus Ballentine, CSR # 13859
ERM: None
Deputy Sheriff: None

The Plaintiffs and Cross-Defendants Motion in Limine No. 5 to Exclude Specific Evidence Which is Irrelevant and/or Prejudicial filed by SKYLER WELLS on 03/05/2025 is Denied.

The Plaintiffs and Cross-Defendants Motion in Limine No. 6 to Exclude Damages Not Established in Discovery filed by SKYLER WELLS on 03/05/2025 is Withdrawn.

The Plaintiffs and Cross-Defendants Motion In Limine No. 7 to Exclude Damages Not Permitted by Rowena Lofts CCRs (Instrument Number 20120210654) filed by SKYLER WELLS on 03/05/2025 is Denied.

The Plaintiffs and Cross-Defendants Motion in Limine No. 8 to Exclude Plaintiff's and Cross-Defendant's Other Lawsuits filed by SKYLER WELLS on 03/05/2025 is Granted in Part.

The Court will allow references; however it is denied as to lawsuits that involve this process and any other lawsuits.

Defendants' Motion in Limine

The Motion in Limine No. 1 Reptile Theory filed by JAY DYCKMAN, CAMERON HOPKINS on 02/28/2025 is Granted.

The Motion in Limine No. 2 to Exclude Report of Pete Fowler filed by JAY DYCKMAN, CAMERON HOPKINS on 02/28/2025 is Granted in Part. he can rely on it, but cannot relay it.

The unopposed Motion in Limine No. 3 to Exclude Non- Experts From Testifying Regarding Environmental Hazards filed by JAY DYCKMAN, CAMERON HOPKINS on 02/28/2025 is Granted.

The Motion in Limine No. 4 to Exclude Loss of Earnings Claim filed by CAMERON HOPKINS, JAY DYCKMAN on 02/28/2025 is Denied.

The record shall reflect that the Court is walking to the plaintiff's computer to review the financial statements.

Cross-Complainant's Motion in Limine:

The Motion in Limine Cross-Complainant Cameron Hopkins' Motion in Limine 1 to (1) Exclude

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 36

22STCV05843

SKYLER WELLS vs CAMERON HOPKINS, et al.

March 28, 2025

8:30 AM

Judge: Honorable Wendy Chang
Judicial Assistant: Araceli Rodriguez
Courtroom Assistant: Arthur Aguilar

CSR: Justus Ballentine, CSR # 13859
ERM: None
Deputy Sheriff: None

Evidence of the Applicability of the Davis-Stirling Act to Rowena Lofts and (2) Challenging the Amended CCRs filed by CAMERON HOPKINS on 03/25/2025 is Granted in Part. as it pertains as to the applicability of the data Davis-Stirling Act.

The Court is allowing witnesses Ms. Nguyen and Ms. Pollack to testify.

Counsel are directed to meet and confer regarding the Proposed Jury Instructions and return at 1:30 p.m.

The Court takes its afternoon break.

At approximately 1:37 p.m., plaintiff's counsel informs the Court that they are in the process of printing and reviewing the Proposed Jury Instructions. They anticipate returning by 2:30 p.m.

Trial resumes at approximately 3:00 p.m.

Counsel are admonished regarding the importance of being here on time and its impact on the jury during trial.

Court and counsel confer regarding the Proposed Jury Instructions.

Jury Trial (7 days) is continued to 04/01/2025 at 09:00 AM in Department 36 at Stanley Mosk Courthouse.

LAGASSE BRANCH BELL + KINKEAD LLP
707 Wilshire Blvd, Suite 3225
Los Angeles, CA 90017

FILED
Superior Court of California
County of Los Angeles
05/30/2025
David W. Styrba, Executive Officer / Clerk of Court
By: A. Rodriguez Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

SKYLER WELLS,) CASE NO. 22STCV05843
Plaintiff,) ~~PROPOSED~~ JUDGEMENT

vs.

CAMERON HOPKINS, an individual; and
JAY DYCKMAN, an individual,
Defendants.

CAMERON HOPKINS, an individual,
Cross-Complainant,

vs.

SKYLER WELLS aka SKYLAR WELLS, an
individual; DAVID SCHIAMBERG, an
individual; MARILYN SCHIAMBERG, an
individual, and ROES 1-20
Cross-Defendants.

1 This case came on for trial in the above-entitled matter on March 11, 2025 in Department
2 36 of the above-entitled Court, located at 111 N Hill Street, Los Angeles, CA 90012, before the
3 Honorable Wendy Chang.

4 Plaintiff/Cross-Defendant, SKYLER WELLS, appearing by and through his attorney
5 James Diefenbach;

6 Defendants CAMERON HOPKINS and JAY DYCKMAN appearing by and through
7 their attorneys Sevan Gobel and Artin Avetisove;

8 Cross-Complainant CAMERON HOPKINS appearing by and through his attorney
9 Emma D. Enriquez.

10 A jury of 12 persons were regularly impaneled and sworn. Witnesses were sworn and
11 testified. Following hearing of all evidence, instructions from the Court and argument of all
12 counsel, the cause was submitted to the jury. The jury deliberated and thereafter, on April 11,
13 2025, returned its verdict as follows:

14 **ON SKYLER WELLS's COMPLAINT:**

15 We, the Jury in the above-entitled action, find the following:

16 1. On Skyler Well's claim for breach of contract:

17 We find in favor of the Defendants and against Plaintiff Skyler Wells.

18 2. On Skyler Well's claim for negligence:

19 We find in favor of all Defendants and against Plaintiff Skyler Wells.

20 We find for all Defendants on the Complaint.

21 **ON CAMERON HOPKINS' CROSS-COMPLAINT.**

22 We, the Jury in the above-entitled action, find the following:

23 1. On Cameron Hopkins' claim for breach of contract:

24 We find in favor of Cross-Complainant Cameron Hopkins and against Cross-Defendant
25 Skyler Wells.

26 2. On Cameron Hopkins' claim for premises liability:

27 We find in favor of Cross-Complainant Cameron Hopkins and against Cross-Defendant
28 Skyler Wells.

1 3. On Cameron Hopkins' claim for private nuisance:
2 We find in favor of Cross-Complainant Cameron Hopkins and against Cross-Defendant
3 Skyler Wells.
4 4. Did Cross-Defendant Skylar Wells engage in this conduct with Malice, oppression or
5 fraud?
6 Answer: YES.
7 We find for the Cross-Complainant Cameron Hopkins, and award damages in the amount
8 of the following:
9 a. Economic Damages: \$24,710.00
10 b. Non-Economic Damages: \$60,000.00
11 In addition, the parties sign a Stipulated Verdict as to punitive damages in the amount of
12 \$60,000.00.
13 **NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:**
14 By reason of said Verdict, Cross-Complainant Cameron Hopkins, is entitled to total
15 judgment against Cross-Defendant Skyler Wells, in the amount of One Hundred Forty Four
16 Thousand Seven Hundred Ten Dollars (\$144,710.00).
17 Recoverable costs, interest, and attorneys' fees are to be determined.

18
19 DATED: 05/30/2025



A handwritten signature in black ink, appearing to read "Wendy Chang", is written over the judge's name.

Wendy Chang / Judge
HONORABLE WENDY CHANG
JUDGE OF THE SUPERIOR COURT

ATTORNEY OR PARTY WITHOUT ATTORNEY: NAME: Cliff Dean Schneider FIRM NAME: The Law Office of Cliff Dean Schneider STREET ADDRESS: 8939 S. Sepulveda Blvd., Suite 102 CITY: Los Angeles STATE: CA ZIP CODE: 90045 TELEPHONE NO.: 888-332-2999 FAX NO.: 888-332-2999 EMAIL ADDRESS: CDS@CliffSchneiderlaw.com ATTORNEY FOR (name): Skyler Wells	FOR COURT USE ONLY Electronically FILED by Superior Court of California, County of Los Angeles 6/11/2025 1:52 PM David W. Slayton, Executive Officer/Clerk of Court, By A. Latchinian, Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 N Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles 90012 BRANCH NAME: Stanley Mosk Courthouse	
PLAINTIFF/PETITIONER: Skyler Wells DEFENDANT/RESPONDENT: Cameron Hopkins, et al	
☒ NOTICE OF APPEAL ☐ CROSS-APPEAL (UNLIMITED CIVIL CASE)	CASE NUMBER: 22STCV05843

Notice: Please read *Information on Appeal Procedures for Unlimited Civil Cases* (Judicial Council form APP-001-INFO) before completing this form. This form must be filed in the superior court, not in the Court of Appeal. A copy of this form must also be served on the other party or parties to this appeal. You may use an applicable Judicial Council form (such as APP-009 or APP-009E) for the proof of service. When this document has been completed and a copy served, the original may then be filed with the court with proof of service.

1. NOTICE IS HEREBY GIVEN that:

- a. (Name): **Skyler Wells** appeals from a judgment or order in this case.
- b. The judgment or order was entered on (list the date or dates the judgment and each order being appealed were entered):
5/30/2025
- c. The appeal is from the following order or judgment (check all that apply):
- ☒ Judgment after jury trial
- ☐ Judgment after court trial
- ☐ Default judgment
- ☐ Judgment after an order granting a summary judgment motion
- ☐ Judgment of dismissal under Code of Civil Procedure, §§ 581d, 583.250, 583.360, or 583.430
- ☐ Judgment of dismissal after an order sustaining a demurrer
- ☐ An order after judgment under Code of Civil Procedure, § 904.1(a)(2)
- ☐ An order or judgment under Code of Civil Procedure, § 904.1(a)(3)–(13)
- ☐ Other (describe and specify the code section or other authority that authorizes this appeal):

NO \$100 PAID
NO \$775 RCVD

- d. ☐ The judgment or order being appealed directs payment of sanctions by an attorney for a party. The attorney (name): _____ appeals.

2. For cross-appeals only:

- a. Date notice of appeal was filed in original appeal:
- b. Date superior court clerk mailed notice of original appeal:
- c. Court of Appeal case number (if known):

3. ☐ The judgment or order being appealed is attached (optional).

Date: **6/9/2025**

Cliff Dean Schneider

(TYPE OR PRINT NAME)



(SIGNATURE OF PARTY OR ATTORNEY)

Page 1 of 1

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Cliff Dean Schneider FIRM NAME: The Law Office of Cliff Dean Schneider.com STREET ADDRESS: 8939 S. Sepulveda Blvd., Suite 102 CITY: Los Angeles TELEPHONE NO.: 888-332-2999 E-MAIL ADDRESS: CDS@CliffSchneiderLaw.com ATTORNEY FOR (name): Skyler Wells		STATE BAR NUMBER: 290819 STATE: CA ZIP CODE: 90045 FAX NO.: 888-332-2999		FOR COURT USE ONLY Electronically FILED by Superior Court of California, County of Los Angeles 7/01/2025 7:56 AM David W. Slayton, Executive Officer/Clerk of Court, By L. Grodeland, Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles 90012 BRANCH NAME: Stanley Mosk Courthouse				
PLAINTIFF/PETITIONER: Skyler Wells DEFENDANT/RESPONDENT: Cameron Hopkins, et al OTHER PARENT/PARTY:				
APPELLANT'S NOTICE DESIGNATING RECORD ON APPEAL (UNLIMITED CIVIL CASE)				
RE: Appeal filed on (date): June 11, 2025		SUPERIOR COURT CASE NUMBER: 22STCV05843 COURT OF APPEAL CASE NUMBER (if known): B347182		
Notice: Please read <i>Information on Appeal Procedures for Unlimited Civil Cases</i> (form APP-001-INFO) before completing this form. This form must be filed in the superior court, not in the Court of Appeal.				

1. RECORD OF THE DOCUMENTS FILED IN THE SUPERIOR COURT

I choose to use the following method of providing the Court of Appeal with a record of the documents filed in the superior court (check a, b, c, or d, and fill in any required information):

- a. ☐ A clerk's transcript under rule 8.122. (You must check (1) or (2) and fill out the clerk's transcript section (item 4) on pages 2 and 3 of this form.)
- (1) ☐ I will pay the superior court clerk for this transcript myself when I receive the clerk's estimate of the costs of this transcript. I understand that if I do not pay for this transcript, it will not be prepared and provided to the Court of Appeal.
- (2) ☐ I request that the clerk's transcript be provided to me at no cost because I cannot afford to pay this cost. I have submitted the following document with this notice designating the record (check (a) or (b)):
- (a) ☐ An order granting a waiver of court fees and costs under rules 3.50–3.58; or
- (b) ☐ An application for a waiver of court fees and costs under rules 3.50–3.58. (Use Request to Waive Court Fees (form FW-001) to prepare and file this application.)
- b. ☒ An appendix under rule 8.124.
- c. ☐ The original superior court file under rule 8.128. (NOTE: Local rules in the Court of Appeal, First, Third, and Fourth Appellate Districts, permit parties to stipulate (agree) to use the original superior court file instead of a clerk's transcript; you may select this option if your appeal is in one of these districts and all the parties have stipulated to use the original superior court file instead of a clerk's transcript in this case. Attach a copy of this stipulation.)
- d. ☐ An agreed statement under rule 8.134. (You must complete item 2b(2) below and attach to your agreed statement copies of all the documents that are required to be included in the clerk's transcript. These documents are listed in rule 8.134(a).)

2. RECORD OF ORAL PROCEEDINGS IN THE SUPERIOR COURT

I choose to proceed (you must check a or b below):

- a. ☒ WITHOUT a record of the oral proceedings (what was said at the hearing or trial) in the superior court. I understand that without a record of the oral proceedings in the superior court, the Court of Appeal will not be able to consider what was said during those proceedings in deciding whether an error was made in the superior court proceedings.

CASE NAME:	SUPERIOR COURT CASE NUMBER:
------------	-----------------------------

2. b. ☐ WITH the following record of the oral proceedings in the superior court (*you must check (1), (2), or (3) below*):
- (1) ☐ A reporter's transcript under rule 8.130. (*You must fill out the reporter's transcript section (item 5) on pages 3 and 4 of this form.*) I have (*check all that apply*):
- (a) ☐ Deposited with the superior court clerk the approximate cost of preparing the transcript by including the deposit with this notice as provided in rule 8.130(b)(1).
- (b) ☐ Attached a copy of a Transcript Reimbursement Fund application filed under rule 8.130(c)(1).
- (c) ☐ Attached the reporter's written waiver of a deposit under rule 8.130(b)(3)(A) for (*check either (i) or (ii)*):
- (i) ☐ all of the designated proceedings.
- (ii) ☐ part of the designated proceedings.
- (d) ☐ Attached a certified transcript under rule 8.130(b)(3)(C).
- (2) ☐ An agreed statement. (*Check and complete either (a) or (b) below.*)
- (a) ☐ I have attached an agreed statement to this notice.
- (b) ☐ All the parties have stipulated (agreed) in writing to try to agree on a statement. (*You must attach a copy of this stipulation to this notice.*) I understand that, within 40 days after I file the notice of appeal, I must file either the agreed statement or a notice indicating the parties were unable to agree on a statement and a new notice designating the record on appeal.
- (3) ☐ A settled statement under rule 8.137. (*You must check (a), (b), or (c) below, and fill out the settled statement section (item 6) on page 4.*)
- (a) ☐ The oral proceedings in the superior court were not reported by a court reporter.
- (b) ☐ The oral proceedings in the superior court were reported by a court reporter, but I have an order waiving fees and costs.
- (c) ☐ I am asking to use a settled statement for reasons other than those listed in (a) or (b). (*You must serve and file the motion required under rule 8.137(b) at the same time that you file this form. You may use form APP-025 to prepare the motion.*)

3. RECORD OF AN ADMINISTRATIVE PROCEEDING TO BE TRANSMITTED TO THE COURT OF APPEAL

- ☐ I request that the clerk transmit to the Court of Appeal under rule 8.123 the record of the following administrative proceeding that was admitted into evidence, refused, or lodged in the superior court (*give the title and date or dates of the administrative proceeding*):

Title of Administrative Proceeding	Date or Dates
------------------------------------	---------------

4. NOTICE DESIGNATING CLERK'S TRANSCRIPT

(*You must complete this section if you checked item 1a above indicating that you choose to use a clerk's transcript as the record of the documents filed in the superior court.*)

- a. **Required documents.** The clerk will automatically include the following items in the clerk's transcript, but you must provide the date each document was filed, or if that is not available, the date the document was signed.

Document Title and Description	Date of Filing
--------------------------------	----------------

- (1) Notice of appeal
- (2) Notice designating record on appeal (*this document*)
- (3) Judgment or order appealed from
- (4) Notice of entry of judgment (*if any*)
- (5) Notice of intention to move for new trial or motion to vacate the judgment, for judgment notwithstanding the verdict, or for reconsideration of an appealed order (*if any*)
- (6) Ruling on one or more of the items listed in (5)
- (7) Register of actions or docket (*if any*)

CASE NAME:	SUPERIOR COURT CASE NUMBER:
------------	-----------------------------

4. NOTICE DESIGNATING CLERK'S TRANSCRIPT

- b. **Additional documents.** (If you want any documents from the superior court proceeding in addition to the items listed in 4a. above to be included in the clerk's transcript, you must identify those documents here.)

☐ I request that the clerk include in the transcript the following documents that were filed in the superior court proceeding. (You must identify each document you want included by its title and provide the date it was filed or, if that is not available, the date the document was signed.)

	Document Title and Description	Date of Filing
(8)		
(9)		
(10)		
(11)		

☐ See additional pages. (Check here if you need more space to list additional documents. List these documents on a separate page or pages labeled "Attachment 4b," and start with number (12).)

- c. **Exhibits to be included in clerk's transcript**

☐ I request that the clerk include in the transcript the following exhibits that were admitted in evidence, refused, or lodged in the superior court. (For each exhibit, give the exhibit number, such as Plaintiff's #1 or Defendant's A, and a brief description of the exhibit. Indicate whether or not the court admitted the exhibit into evidence. If the superior court has returned a designated exhibit to a party, the party in possession of the exhibit must deliver it to the superior court clerk within 10 days after service of this notice designating the record. (Rule 8.122(a)(3).))

	Exhibit Number	Description	Admitted (Yes/No)
(1)			
(2)			
(3)			
(4)			

☐ See additional pages. (Check here if you need more space to list additional exhibits. List these exhibits on a separate page or pages labeled "Attachment 4c," and start with number (5).)

5. NOTICE DESIGNATING REPORTER'S TRANSCRIPT

You must complete both a and b in this section if you checked item 2b(1) above indicating that you choose to use a reporter's transcript as the record of the oral proceedings in the superior court. Please remember that you must pay for the cost of preparing the reporter's transcript.

- a. **Format of the reporter's transcript**

I request that the reporters provide (check one):

- (1) ☐ My copy of the reporter's transcript in electronic format.
- (2) ☐ My copy of the reporter's transcript in paper format.
- (3) ☐ My copy of the reporter's transcript in electronic format and a second copy in paper format.

(Code Civ. Proc., § 271.)

CASE NAME:	SUPERIOR COURT CASE NUMBER:
------------	-----------------------------

5. b. **Proceedings**

I request that the following proceedings in the superior court be included in the reporter's transcript. *(You must identify each proceeding you want included by its date, the department in which it took place, a description of the proceedings (for example, the examination of jurors, motions before trial, the taking of testimony, or the giving of jury instructions), the name of the court reporter who recorded the proceedings (if known), and whether a certified transcript of the designated proceeding was previously prepared.)*

Date	Department	Full/Partial Day	Description	Reporter's Name	Prev. prepared?
(1)					☐ Yes ☐ No
(2)					☐ Yes ☐ No
(3)					☐ Yes ☐ No
(4)					☐ Yes ☐ No

☐ See additional pages. *(Check here if you need more space to list additional proceedings. List these exhibits on a separate page or pages labeled "Attachment 5b," and start with number (5).)*

6. **NOTICE DESIGNATING PROCEEDINGS TO BE INCLUDED IN SETTLED STATEMENT**

(You must complete this section if you checked item 2b(3) above indicating you choose to use a settled statement.) I request that the following proceedings in the superior court be included in the settled statement. *(You must identify each proceeding you want included by its date, the department in which it took place, a description of the proceedings (for example, the examination of jurors, motions before trial, the taking of testimony, or the giving of jury instructions), the name of the court reporter who recorded the proceedings (if known), and whether a certified transcript of the designated proceeding was previously prepared.)*

Date	Department	Full/Partial Day	Description	Reporter's Name	Prev. prepared?
(1)					☐ Yes ☐ No
(2)					☐ Yes ☐ No
(3)					☐ Yes ☐ No
(4)					☐ Yes ☐ No

☐ See additional pages. *(Check here if you need more space to list additional proceedings. List these proceedings on a separate page or pages labeled "Attachment 6," and start with number (5).)*

7. a. The proceedings designated in 5b or 6 ☐ include ☐ do not include all of the testimony in the superior court.

b. If the designated proceedings DO NOT include all of the testimony, state the points that you intend to raise on appeal. *(Rule 8.130(a)(2) and rule 8.137(d)(1) provide that your appeal will be limited to these points unless the Court of Appeal permits otherwise.)* Points are set forth: ☐ Below ☐ On a separate page labeled "Attachment 7."

Date: 6/30/2025

Cliff Dean Schneider

(TYPE OR PRINT NAME)



(SIGNATURE OF APPELLANT OR ATTORNEY)

1
2
3 PROOF OF SERVICE
4 State of California
County: Los Angeles
Case number: 22STCV05843

5
6 I am over the age of 18, a resident of Los Angeles County, California,
and not a party to the action referenced above. My business address is 8939
7 S. Sepulveda Blvd., Suite 102, Los Angeles, CA 90045.

8 On 7/1/2025 I served NOTICE DESIGNATING RECORD; upon the interested parties
in the action via the OneLegal e-service option to:

9 Sevan Gobel
10 Legasse Branch Bell + Kinhead, LLP
sgobel@lbbklaw.com

11 Emma Diana Enriquez
12 Cameron A Hopkins APC
Cyberlaw12@gmail.com

13 Richard Eric Williamson
14 Ezer Williamson Law, APC
rew@ezerwilliomsonlaw.com

15
16
17 I declare under penalty of perjury under the laws of the State of
California that the above is true and correct.

18
19
20 Executed on the above date in Los Angeles, California

21
22 

23
24
25
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27
28
Cliff Schneider