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15 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
16 FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT  
17

18 JOAQUIN AGUILAR MENDEZ,

Case No. BC358718

19 Plaintiff,

20 vs.

PLAINTIFF'S SEPARATE STATEMENT IN  
SUPPORT OF MOTION TO COMPEL  
FURTHER RESPONSES BY DEFENDANT  
DIOCESE OF TEHUACAN TO PLAINTIFF'S  
FIRST SET OF INTERROGATORIES

21 CARDINAL ROGER MAHONY, THE  
ROMAN CATHOLIC ARCHBISHOP OF  
LOS ANGELES, A CORPORATION  
22 SOLE, CARDINAL NORBERTO  
RIVERA, THE DIOCESE OF  
23 TEHUACAN, FATHER NICHOLAS  
AGUILAR DOES 1-100,

24 Defendants.  
25 \_\_\_\_\_ /

Date: August 22, 2007  
Time: 8:30 a.m.  
Dept: 42

**FILED**  
LOS ANGELES SUPERIOR COURT

JUL 24 2007

John A. Clarke, Executive Officer/Clerk  
By \_\_\_\_\_ Deputy

1 SEPARATE STATEMENT (SPECIAL INTERROGATORIES)

2 Plaintiffs submit this separate statement in support of the Motion to Compel the  
3 Defendant DIOCESE OF TEHUACAN to respond further to the First Set of Interrogatories, in  
4 compliance with California Rules of Court, Rule 335.

5  
6 SPECIAL INTERROGATORY NO. 36 :

7 If an officer, director, or managing agent of The Diocese of Tehuacan has had a verbal  
8 communication(s) with Cardinal Roger Mahony, regarding Nicholas Aguilar, please state  
9 whether there are any writings which document the subject matter of the communication(s).

10 RESPONSE:

11 The Diocese incorporates by reference its Preliminary Statement and General  
12 Objections set forth above. The Diocese further objects to this Interrogatory because Plaintiff  
13 has exceeded the maximum number of special interrogatories authorized by Section 2030.030  
14 of the California Code of Civil Procedure and declines to respond to this Interrogatory on the  
15 same grounds.

16 LEGAL AND FACTUAL REASONS FOR COMPELLING FURTHER RESPONSE:

17 The objections made to this interrogatory are too general and/or meritless and/or  
18 frivolous, warranting sanctions. The objecting party has the burden of justifying an objection  
19 to an interrogatory. *Coy v. Superior Court* (1962) 58 Cal.2d 210, 220.

20 Defendant's "General Objections" are prohibited. C.C.P. § 2030.210 requires that  
21 interrogatories be responded to separately. Subdivision (a) of Section 2030.210 states:

22 **(a) The party to whom interrogatories have been propounded shall**  
23 **respond in writing under oath separately to each interrogatory by any of**  
24 **the following:**

24 (1) An answer containing the information sought to be discovered.

25 (2) An exercise of the party's option to produce writings.

26 **(3) An objection to the particular interrogatory.**

27 [Emphasis added.]

28 Code of Civil Procedure Section 2030.240, subdivision (b), further provides that:

1 (b) If an objection is made to an interrogatory or to a part of an  
2 interrogatory, the specific ground for the objection shall be set forth  
3 clearly in the response. If an objection is based on a claim of privilege, the  
4 particular privilege invoked shall be clearly stated. If an objection is based on  
a claim that the information sought is protected work product under Chapter  
4 (commencing with Section 2018.010), that claim shall be expressly  
asserted.

5 The subject interrogatory is relevant to the subject matter jurisdiction issue for which  
6 discovery is allowed at this stage in the litigation.

7 No privileges are involved in the subject matter of the interrogatory. The "General  
8 Objection" of "privilege" is too general as the Defendant does not identify any specific  
9 "privilege" for this particular interrogatory, the objection is waived because no specific  
10 "privilege" is timely interposed [C.C.P. § 2030.290; and *Scottsdale Ins. Co. v. Superior Court*  
11 (1997) 59 Cal.App.4th 263], the Defendant fails to establish the foundational prerequisites for  
12 invoking any "privilege", and the Defendant provides no explanation whatsoever for what is  
13 "privileged" about the type of information sought in this discovery.

14 The objection concerning the maximum number of special interrogatories was cured  
15 during the "meet and confer" process by provision of a Declaration for Additional Discovery.  
16 See Motion Exhibit "C", hereto.

17 The Court is requested to overrule all of these objections.

18 The Court is further requested to issue a monetary sanction for these frivolous, time-  
19 consuming objections. There is no substantial justification for the multiplying of objections,  
20 and attempting to apply them all to every interrogatory through the impermissible use of  
21 "general objections". *Korea Data Systems Co. v. Superior Court* (1997) 51 Cal.App.4th 1513,  
22 1516, noted that our courts "recognize the use of "boiler plate" objections as were provided in  
23 this case may be sanctionable ...."

24  
25 **SPECIAL INTERROGATORY NO. 37 :**

26 Has an officer, director, or managing agent of The Diocese of Tehuacan ever had any  
27 conversation(s) with Nicholas Aguilar in which the subject of Aguilar's transfer to California  
28 was discussed.

1 RESPONSE:

2 The Diocese incorporates by reference its Preliminary Statement and General  
3 Objections set forth above. The Diocese further objects to this Interrogatory because Plaintiff  
4 has exceeded the maximum number of special interrogatories authorized by Section 2030.030  
5 of the California Code of Civil Procedure and declines to respond to this Interrogatory on the  
6 same grounds.

7 LEGAL AND FACTUAL REASONS FOR COMPELLING FURTHER RESPONSE:

8 The objections made to this interrogatory are too general and/or meritless and/or  
9 frivolous, warranting sanctions. The objecting party has the burden of justifying an objection  
10 to an interrogatory. *Coy v. Superior Court* (1962) 58 Cal.2d 210, 220.

11 Defendant's "General Objections" are prohibited. C.C.P. § 2030.210 requires that  
12 interrogatories be responded to separately. Subdivision (a) of Section 2030.210 states:

13 **(a) The party to whom interrogatories have been propounded shall**  
14 **respond in writing under oath separately to each interrogatory by any of**  
the following:

15 (1) An answer containing the information sought to be discovered.

16 (2) An exercise of the party's option to produce writings.

17 **(3) An objection to the particular interrogatory.**

18 [Emphasis added.]

19 Code of Civil Procedure Section 2030.240, subdivision (b), further provides that:

20 **(b) If an objection is made to an interrogatory or to a part of an**  
21 **interrogatory, the specific ground for the objection shall be set forth**  
22 **clearly in the response.** If an objection is based on a claim of privilege, the  
23 particular privilege invoked shall be clearly stated. If an objection is based on  
a claim that the information sought is protected work product under Chapter  
4 (commencing with Section 2018.010), that claim shall be expressly  
asserted.

24 The subject interrogatory is relevant to the subject matter jurisdiction issue for which  
25 discovery is allowed at this stage in the litigation.

26 No privileges are involved in the subject matter of the interrogatory. The "General  
27 Objection" of "privilege" is too general as the Defendant does not identify any specific  
28 "privilege" for this particular interrogatory, the objection is waived because no specific

1 "privilege" is timely interposed [C.C.P. § 2030.290; and *Scottsdale Ins. Co. v. Superior Court*  
2 (1997) 59 Cal.App.4th 263], the Defendant fails to establish the foundational prerequisites for  
3 invoking any "privilege", and the Defendant provides no explanation whatsoever for what is  
4 "privileged" about the type of information sought in this discovery.

5 The objection concerning the maximum number of special interrogatories was cured  
6 during the "meet and confer" process by provision of a Declaration for Additional Discovery.  
7 See Motion Exhibit "C", hereto.

8 The Court is requested to overrule all of these objections.

9 The Court is further requested to issue a monetary sanction for these frivolous, time-  
10 consuming objections. There is no substantial justification for the multiplying of objections,  
11 and attempting to apply them all to every interrogatory through the impermissible use of  
12 "general objections". *Korea Data Systems Co. v. Superior Court* (1997) 51 Cal.App.4th 1513,  
13 1516, noted that our courts "recognize the use of "boiler plate" objections as were provided in  
14 this case may be sanctionable ...."

15

16 **SPECIAL INTERROGATORY NO. 38 :**

17 If an officer, director, or managing agent of The Diocese of Tehuacan has had a conversation  
18 with Nicholas Aguilar in which the subject of Aguilar's transfer to California was discussed,  
19 please identify each officer, director, or managing agent of The Diocese of Tehuacan who had  
20 this conversation(s).

21 **RESPONSE:**

22 The Diocese incorporates by reference its Preliminary Statement and General  
23 Objections set forth above. The Diocese further objects to this Interrogatory because Plaintiff  
24 has exceeded the maximum number of special interrogatories authorized by Section 2030.030  
25 of the California Code of Civil Procedure and declines to respond to this Interrogatory on the  
26 same grounds.

27 **LEGAL AND FACTUAL REASONS FOR COMPELLING FURTHER RESPONSE:**

28 The objections made to this interrogatory are too general and/or meritless and/or

1 frivolous, warranting sanctions. The objecting party has the burden of justifying an objection  
2 to an interrogatory. *Coy v. Superior Court* (1962) 58 Cal.2d 210, 220.

3 Defendant's "General Objections" are prohibited. C.C.P. § 2030.210 requires that  
4 interrogatories be responded to separately. Subdivision (a) of Section 2030.210 states:

5 **(a) The party to whom interrogatories have been propounded shall**  
6 **respond in writing under oath separately to each interrogatory by any of**  
7 **the following:**

8 (1) An answer containing the information sought to be discovered.

9 (2) An exercise of the party's option to produce writings.

10 **(3) An objection to the particular interrogatory.**

11 [Emphasis added.]

12 Code of Civil Procedure Section 2030.240, subdivision (b), further provides that:

13 **(b) If an objection is made to an interrogatory or to a part of an**  
14 **interrogatory, the specific ground for the objection shall be set forth**  
15 **clearly in the response.** If an objection is based on a claim of privilege, the  
16 particular privilege invoked shall be clearly stated. If an objection is based on  
17 a claim that the information sought is protected work product under Chapter  
18 4 (commencing with Section 2018.010), that claim shall be expressly  
19 asserted.

20 The subject interrogatory is relevant to the subject matter jurisdiction issue for which  
21 discovery is allowed at this stage in the litigation.

22 No privileges are involved in the subject matter of the interrogatory. The "General  
23 Objection" of "privilege" is too general as the Defendant does not identify any specific  
24 "privilege" for this particular interrogatory, the objection is waived because no specific  
25 "privilege" is timely interposed [C.C.P. § 2030.290; and *Scottsdale Ins. Co. v. Superior Court*  
26 (1997) 59 Cal.App.4th 263], the Defendant fails to establish the foundational prerequisites for  
27 invoking any "privilege", and the Defendant provides no explanation whatsoever for what is  
28 "privileged" about the type of information sought in this discovery.

29 The objection concerning the maximum number of special interrogatories was cured  
30 during the "meet and confer" process by provision of a Declaration for Additional Discovery.  
31 See Motion Exhibit "C", hereto.

32 The Court is requested to overrule all of these objections.

1 The Court is further requested to issue a monetary sanction for these frivolous, time-  
2 consuming objections. There is no substantial justification for the multiplying of objections,  
3 and attempting to apply them all to every interrogatory through the impermissible use of  
4 "general objections". *Korea Data Systems Co. v. Superior Court* (1997) 51 Cal.App.4th 1513,  
5 1516, noted that our courts "recognize the use of "boiler plate" objections as were provided in  
6 this case may be sanctionable ...."

7  
8  
9 **SPECIAL INTERROGATORY NO. 39 :**

10 If an officer, director, or managing agent of The Diocese of Tehuacan has had a conversation  
11 with Nicholas Aguilar in which the subject of Aguilar's transfer to California was discussed,  
12 please describe the date of the conversation(s).

13 **RESPONSE:**

14 The Diocese incorporates by reference its Preliminary Statement and General  
15 Objections set forth above. The Diocese further objects to this Interrogatory because Plaintiff  
16 has exceeded the maximum number of special interrogatories authorized by Section 2030.030  
17 of the California Code of Civil Procedure and declines to respond to this Interrogatory on the  
18 same grounds.

19 **LEGAL AND FACTUAL REASONS FOR COMPELLING FURTHER RESPONSE:**

20 The objections made to this interrogatory are too general and/or meritless and/or  
21 frivolous, warranting sanctions. The objecting party has the burden of justifying an objection  
22 to an interrogatory. *Coy v. Superior Court* (1962) 58 Cal.2d 210, 220.

23 Defendant's "General Objections" are prohibited. C.C.P. § 2030.210 requires that  
24 interrogatories be responded to separately. Subdivision (a) of Section 2030.210 states:

25 **(a) The party to whom interrogatories have been propounded shall**  
26 **respond in writing under oath separately to each interrogatory by any of**  
27 **the following:**

- 28 (1) An answer containing the information sought to be discovered.  
(2) An exercise of the party's option to produce writings.

1           **(3) An objection to the particular interrogatory.**

2           [Emphasis added.]

3           Code of Civil Procedure Section 2030.240, subdivision (b), further provides that:

4           **(b) If an objection is made to an interrogatory** or to a part of an  
5           **interrogatory, the specific ground for the objection shall be set forth**  
6           **clearly in the response.** If an objection is based on a claim of privilege, the  
7           particular privilege invoked shall be clearly stated. If an objection is based on  
8           a claim that the information sought is protected work product under Chapter  
9           4 (commencing with Section 2018.010), that claim shall be expressly  
10           asserted.

11           The subject interrogatory is relevant to the subject matter jurisdiction issue for which  
12           discovery is allowed at this stage in the litigation.

13           No privileges are involved in the subject matter of the interrogatory. The "General  
14           Objection" of "privilege" is too general as the Defendant does not identify any specific  
15           "privilege" for this particular interrogatory, the objection is waived because no specific  
16           "privilege" is timely interposed [C.C.P. § 2030.290; and *Scottsdale Ins. Co. v. Superior Court*  
17           (1997) 59 Cal.App.4th 263], the Defendant fails to establish the foundational prerequisites for  
18           invoking any "privilege", and the Defendant provides no explanation whatsoever for what is  
19           "privileged" about the type of information sought in this discovery.

20           The objection concerning the maximum number of special interrogatories was cured  
21           during the "meet and confer" process by provision of a Declaration for Additional Discovery.  
22           See Motion Exhibit "C", hereto.

23           The Court is requested to overrule all of these objections.

24           The Court is further requested to issue a monetary sanction for these frivolous, time-  
25           consuming objections. There is no substantial justification for the multiplying of objections,  
26           and attempting to apply them all to every interrogatory through the impermissible use of  
27           "general objections". *Korea Data Systems Co. v. Superior Court* (1997) 51 Cal.App.4th 1513,  
28           1516, noted that our courts "recognize the use of "boiler plate" objections as were provided in  
29           this case may be sanctionable ...."



1 SPECIAL INTERROGATORY NO. 40 :

2 If an officer, director, or managing agent of The Diocese of Tehuacan has had a  
3 conversation(s) with Nicholas Aguilar in which the subject of Aguilar's transfer to California  
4 was discussed, please describe the substance of the conversation.

5 RESPONSE:

6 The Diocese incorporates by reference its Preliminary Statement and General  
7 Objections set forth above. The Diocese further objects to this Interrogatory because Plaintiff  
8 has exceeded the maximum number of special interrogatories authorized by Section 2030.030  
9 of the California Code of Civil Procedure and declines to respond to this Interrogatory on the  
10 same grounds.

11 LEGAL AND FACTUAL REASONS FOR COMPELLING FURTHER RESPONSE:

12 The objections made to this interrogatory are too general and/or meritless and/or  
13 frivolous, warranting sanctions. The objecting party has the burden of justifying an objection  
14 to an interrogatory. *Coy v. Superior Court* (1962) 58 Cal.2d 210, 220.

15 Defendant's "General Objections" are prohibited. C.C.P. § 2030.210 requires that  
16 interrogatories be responded to separately. Subdivision (a) of Section 2030.210 states:

17 **(a) The party to whom interrogatories have been propounded shall**  
18 **respond in writing under oath separately to each interrogatory by any of**  
19 **the following:**

20 (1) An answer containing the information sought to be discovered.

21 (2) An exercise of the party's option to produce writings.

22 **(3) An objection to the particular interrogatory.**

23 [Emphasis added.]

24 Code of Civil Procedure Section 2030.240, subdivision (b), further provides that:

25 **(b) If an objection is made to an interrogatory or to a part of an**  
26 **interrogatory, the specific ground for the objection shall be set forth**  
27 **clearly in the response.** If an objection is based on a claim of privilege, the  
particular privilege invoked shall be clearly stated. If an objection is based on  
a claim that the information sought is protected work product under Chapter  
4 (commencing with Section 2018.010), that claim shall be expressly  
asserted.

28 The subject interrogatory is relevant to the subject matter jurisdiction issue for which

1 discovery is allowed at this stage in the litigation.

2 No privileges are involved in the subject matter of the interrogatory. The "General  
3 Objection" of "privilege" is too general as the Defendant does not identify any specific  
4 "privilege" for this particular interrogatory, the objection is waived because no specific  
5 "privilege" is timely interposed [C.C.P. § 2030.290; and *Scottsdale Ins. Co. v. Superior Court*  
6 (1997) 59 Cal.App.4th 263], the Defendant fails to establish the foundational prerequisites for  
7 invoking any "privilege", and the Defendant provides no explanation whatsoever for what is  
8 "privileged" about the type of information sought in this discovery.

9 The objection concerning the maximum number of special interrogatories was cured  
10 during the "meet and confer" process by provision of a Declaration for Additional Discovery.  
11 See Motion Exhibit "C", hereto.

12 The Court is requested to overrule all of these objections.

13 The Court is further requested to issue a monetary sanction for these frivolous, time-  
14 consuming objections. There is no substantial justification for the multiplying of objections,  
15 and attempting to apply them all to every interrogatory through the impermissible use of  
16 "general objections". *Korea Data Systems Co. v. Superior Court* (1997) 51 Cal.App.4th 1513,  
17 1516, noted that our courts "recognize the use of "boiler plate" objections as were provided in  
18 this case may be sanctionable ...."

19

20 **SPECIAL INTERROGATORY NO. 41 :**

21 If an officer, director, or managing agent of The Diocese of Tehuacan has had a  
22 conversation(s) with Nicholas Aguilar in which the subject of Aguilar's transfer to California  
23 was discussed, please state whether there are any writings which document the subject matter  
24 of the conversation(s).

25 **RESPONSE:**

26 The Diocese incorporates by reference its Preliminary Statement and General  
27 Objections set forth above. The Diocese further objects to this Interrogatory because Plaintiff  
28 has exceeded the maximum number of special interrogatories authorized by Section 2030.030

1 of the California Code of Civil Procedure and declines to respond to this Interrogatory on the  
2 same grounds.

3 LEGAL AND FACTUAL REASONS FOR COMPELLING FURTHER RESPONSE:

4 The objections made to this interrogatory are too general and/or meritless and/or  
5 frivolous, warranting sanctions. The objecting party has the burden of justifying an objection  
6 to an interrogatory. *Coy v. Superior Court* (1962) 58 Cal.2d 210, 220.

7 Defendant's "General Objections" are prohibited. C.C.P. § 2030.210 requires that  
8 interrogatories be responded to separately. Subdivision (a) of Section 2030.210 states:

9 **(a) The party to whom interrogatories have been propounded shall**  
10 **respond in writing under oath separately to each interrogatory by any of**  
the following:

11 (1) An answer containing the information sought to be discovered.

12 (2) An exercise of the party's option to produce writings.

13 **(3) An objection to the particular interrogatory.**

14 [Emphasis added.]

15 Code of Civil Procedure Section 2030.240, subdivision (b), further provides that:

16 **(b) If an objection is made to an interrogatory or to a part of an**  
17 **interrogatory, the specific ground for the objection shall be set forth**  
18 **clearly in the response.** If an objection is based on a claim of privilege, the  
19 particular privilege invoked shall be clearly stated. If an objection is based on  
a claim that the information sought is protected work product under Chapter  
4 (commencing with Section 2018.010), that claim shall be expressly  
asserted.

20 The subject interrogatory is relevant to the subject matter jurisdiction issue for which  
21 discovery is allowed at this stage in the litigation.

22 No privileges are involved in the subject matter of the interrogatory. The "General  
23 Objection" of "privilege" is too general as the Defendant does not identify any specific  
24 "privilege" for this particular interrogatory, the objection is waived because no specific  
25 "privilege" is timely interposed [C.C.P. § 2030.290; and *Scottsdale Ins. Co. v. Superior Court*  
26 (1997) 59 Cal.App.4th 263], the Defendant fails to establish the foundational prerequisites for  
27 invoking any "privilege", and the Defendant provides no explanation whatsoever for what is  
28 "privileged" about the type of information sought in this discovery.

1 The objection concerning the maximum number of special interrogatories was cured  
2 during the "meet and confer" process by provision of a Declaration for Additional Discovery.  
3 See Motion Exhibit "C", hereto.

4 The Court is requested to overrule all of these objections.

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6 consuming objections. There is no substantial justification for the multiplying of objections,  
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8 "general objections". *Korea Data Systems Co. v. Superior Court* (1997) 51 Cal.App.4th 1513,  
9 1516, noted that our courts "recognize the use of "boiler plate" objections as were provided in  
10 this case may be sanctionable ...."

11  
12 **SPECIAL INTERROGATORY NO. 42 :**

13 Has an officer, director, or managing agent of The Diocese of Tehuacan had any written  
14 communication(s) with Nicholas Aguilar in which the subject of Aguilar's transfer to  
15 California was discussed.

16 **RESPONSE:**

17 The Diocese incorporates by reference its Preliminary Statement and General  
18 Objections set forth above. The Diocese further objects to this Interrogatory because Plaintiff  
19 has exceeded the maximum number of special interrogatories authorized by Section 2030.030  
20 of the California Code of Civil Procedure and declines to respond to this Interrogatory on the  
21 same grounds.

22 **LEGAL AND FACTUAL REASONS FOR COMPELLING FURTHER RESPONSE:**

23 The objections made to this interrogatory are too general and/or meritless and/or  
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respond in writing under oath separately to each interrogatory by any of the following:

- (1) An answer containing the information sought to be discovered.
- (2) An exercise of the party's option to produce writings.
- (3) An objection to the particular interrogatory.**

[Emphasis added.]

Code of Civil Procedure Section 2030.240, subdivision (b), further provides that:

**(b) If an objection is made to an interrogatory or to a part of an interrogatory, the specific ground for the objection shall be set forth clearly in the response.** If an objection is based on a claim of privilege, the particular privilege invoked shall be clearly stated. If an objection is based on a claim that the information sought is protected work product under Chapter 4 (commencing with Section 2018.010), that claim shall be expressly asserted.

The subject interrogatory is relevant to the subject matter jurisdiction issue for which discovery is allowed at this stage in the litigation.

No privileges are involved in the subject matter of the interrogatory. The "General Objection" of "privilege" is too general as the Defendant does not identify any specific "privilege" for this particular interrogatory, the objection is waived because no specific "privilege" is timely interposed [C.C.P. § 2030.290; and *Scottsdale Ins. Co. v. Superior Court* (1997) 59 Cal.App.4th 263], the Defendant fails to establish the foundational prerequisites for invoking any "privilege", and the Defendant provides no explanation whatsoever for what is "privileged" about the type of information sought in this discovery.

The objection concerning the maximum number of special interrogatories was cured during the "meet and confer" process by provision of a Declaration for Additional Discovery. See Motion Exhibit "C", hereto.

The Court is requested to overrule all of these objections.

The Court is further requested to issue a monetary sanction for these frivolous, time-consuming objections. There is no substantial justification for the multiplying of objections, and attempting to apply them all to every interrogatory through the impermissible use of "general objections". *Korea Data Systems Co. v. Superior Court* (1997) 51 Cal.App.4th 1513,

1 1516, noted that our courts “recognize the use of "boiler plate" objections as were provided in  
2 this case may be sanctionable ....”

3  
4 **SPECIAL INTERROGATORY NO. 43 :**

5 If an officer, director, or managing agent of The Diocese of Tehuacan has had written  
6 communication(s) with Nicholas Aguilar in which the subject of Aguilar's transfer to  
7 California was discussed, please identify each officer, director, and/or managing agent.

8 **RESPONSE:**

9 The Diocese incorporates by reference its Preliminary Statement and General  
10 Objections set forth above. The Diocese further objects to this Interrogatory because Plaintiff  
11 has exceeded the maximum number of special interrogatories authorized by Section 2030.030  
12 of the California Code of Civil Procedure and declines to respond to this Interrogatory on the  
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25 **(3) An objection to the particular interrogatory.**

26 [Emphasis added.]

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3 4 (commencing with Section 2018.010), that claim shall be expressly  
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6 discovery is allowed at this stage in the litigation.

7 No privileges are involved in the subject matter of the interrogatory. The "General  
8 Objection" of "privilege" is too general as the Defendant does not identify any specific  
9 "privilege" for this particular interrogatory, the objection is waived because no specific  
10 "privilege" is timely interposed [C.C.P. § 2030.290; and *Scottsdale Ins. Co. v. Superior Court*  
11 (1997) 59 Cal.App.4th 263], the Defendant fails to establish the foundational prerequisites for  
12 invoking any "privilege", and the Defendant provides no explanation whatsoever for what is  
13 "privileged" about the type of information sought in this discovery.

14 The objection concerning the maximum number of special interrogatories was cured  
15 during the "meet and confer" process by provision of a Declaration for Additional Discovery.  
16 See Motion Exhibit "C", hereto.

17 The Court is requested to overrule all of these objections.

18 The Court is further requested to issue a monetary sanction for these frivolous, time-  
19 consuming objections. There is no substantial justification for the multiplying of objections,  
20 and attempting to apply them all to every interrogatory through the impermissible use of  
21 "general objections". *Korea Data Systems Co. v. Superior Court* (1997) 51 Cal.App.4th 1513,  
22 1516, noted that our courts "recognize the use of "boiler plate" objections as were provided in  
23 this case may be sanctionable ...."

24 **SPECIAL INTERROGATORY NO. 44 :**

25 If an officer, director, or managing agent of The Diocese of Tehuacan has had written  
26 communication(s) with Nicholas Aguilar in which the subject of Aguilar's transfer to  
27 California was discussed, please describe the date of the communication(s).

28

1 RESPONSE:

2 The Diocese incorporates by reference its Preliminary Statement and General  
3 Objections set forth above. The Diocese further objects to this Interrogatory because Plaintiff  
4 has exceeded the maximum number of special interrogatories authorized by Section 2030.030  
5 of the California Code of Civil Procedure and declines to respond to this Interrogatory on the  
6 same grounds.

7 LEGAL AND FACTUAL REASONS FOR COMPELLING FURTHER RESPONSE:

8 The objections made to this interrogatory are too general and/or meritless and/or  
9 frivolous, warranting sanctions. The objecting party has the burden of justifying an objection  
10 to an interrogatory. *Coy v. Superior Court* (1962) 58 Cal.2d 210, 220.

11 Defendant's "General Objections" are prohibited. C.C.P. § 2030.210 requires that  
12 interrogatories be responded to separately. Subdivision (a) of Section 2030.210 states:

13 **(a) The party to whom interrogatories have been propounded shall**  
14 **respond in writing under oath separately to each interrogatory by any of**  
the following:

15 (1) An answer containing the information sought to be discovered.

16 (2) An exercise of the party's option to produce writings.

17 **(3) An objection to the particular interrogatory.**

18 [Emphasis added.]

19 Code of Civil Procedure Section 2030.240, subdivision (b), further provides that:

20 **(b) If an objection is made to an interrogatory or to a part of an**  
21 **interrogatory, the specific ground for the objection shall be set forth**  
22 **clearly in the response.** If an objection is based on a claim of privilege, the  
23 particular privilege invoked shall be clearly stated. If an objection is based on  
a claim that the information sought is protected work product under Chapter  
4 (commencing with Section 2018.010), that claim shall be expressly  
asserted.

24 The subject interrogatory is relevant to the subject matter jurisdiction issue for which  
25 discovery is allowed at this stage in the litigation.

26 No privileges are involved in the subject matter of the interrogatory. The "General  
27 Objection" of "privilege" is too general as the Defendant does not identify any specific  
28 "privilege" for this particular interrogatory, the objection is waived because no specific



1 “privilege” is timely interposed [C.C.P. § 2030.290; and *Scottsdale Ins. Co. v. Superior Court*  
2 (1997) 59 Cal.App.4th 263], the Defendant fails to establish the foundational prerequisites for  
3 invoking any “privilege”, and the Defendant provides no explanation whatsoever for what is  
4 “privileged” about the type of information sought in this discovery.

5 The objection concerning the maximum number of special interrogatories was cured  
6 during the “meet and confer” process by provision of a Declaration for Additional Discovery.  
7 See Motion Exhibit “C”, hereto.

8 The Court is requested to overrule all of these objections.

9 The Court is further requested to issue a monetary sanction for these frivolous, time-  
10 consuming objections. There is no substantial justification for the multiplying of objections,  
11 and attempting to apply them all to every interrogatory through the impermissible use of  
12 “general objections”. *Korea Data Systems Co. v. Superior Court* (1997) 51 Cal.App.4th 1513,  
13 1516, noted that our courts “recognize the use of “boiler plate” objections as were provided in  
14 this case may be sanctionable ....”

15  
16 **SPECIAL INTERROGATORY NO. 45 :**

17 If an officer, director, or managing agent of The Diocese of Tehuacan has had written  
18 communication(s) with Nicholas Aguilar in which the subject of Aguilar's transfer to  
19 California was discussed, please describe the substance of the communication(s).

20 **RESPONSE:**

21 The Diocese incorporates by reference its Preliminary Statement and General  
22 Objections set forth above. The Diocese further objects to this Interrogatory because Plaintiff  
23 has exceeded the maximum number of special interrogatories authorized by Section 2030.030  
24 of the California Code of Civil Procedure and declines to respond to this Interrogatory on the  
25 same grounds.

26 **LEGAL AND FACTUAL REASONS FOR COMPELLING FURTHER RESPONSE:**

27 The objections made to this interrogatory are too general and/or meritless and/or  
28 frivolous, warranting sanctions. The objecting party has the burden of justifying an objection

1 to an interrogatory. *Coy v. Superior Court* (1962) 58 Cal.2d 210, 220.

2 Defendant's "General Objections" are prohibited. C.C.P. § 2030.210 requires that  
3 interrogatories be responded to separately. Subdivision (a) of Section 2030.210 states:

4 **(a) The party to whom interrogatories have been propounded shall**  
5 **respond in writing under oath separately to each interrogatory by any of**  
6 **the following:**

6 (1) An answer containing the information sought to be discovered.

7 (2) An exercise of the party's option to produce writings.

8 **(3) An objection to the particular interrogatory.**

9 [Emphasis added.]

10 Code of Civil Procedure Section 2030.240, subdivision (b), further provides that:

11 **(b) If an objection is made to an interrogatory or to a part of an**  
12 **interrogatory, the specific ground for the objection shall be set forth**  
13 **clearly in the response.** If an objection is based on a claim of privilege, the  
14 particular privilege invoked shall be clearly stated. If an objection is based on  
15 a claim that the information sought is protected work product under Chapter  
16 4 (commencing with Section 2018.010), that claim shall be expressly  
17 asserted.

15 The subject interrogatory is relevant to the subject matter jurisdiction issue for which  
16 discovery is allowed at this stage in the litigation.

17 No privileges are involved in the subject matter of the interrogatory. The "General  
18 Objection" of "privilege" is too general as the Defendant does not identify any specific  
19 "privilege" for this particular interrogatory, the objection is waived because no specific  
20 "privilege" is timely interposed [C.C.P. § 2030.290; and *Scottsdale Ins. Co. v. Superior Court*  
21 (1997) 59 Cal.App.4th 263], the Defendant fails to establish the foundational prerequisites for  
22 invoking any "privilege", and the Defendant provides no explanation whatsoever for what is  
23 "privileged" about the type of information sought in this discovery.

24 The objection concerning the maximum number of special interrogatories was cured  
25 during the "meet and confer" process by provision of a Declaration for Additional Discovery.

26 See Motion Exhibit "C", hereto.

27 The Court is requested to overrule all of these objections.

28 The Court is further requested to issue a monetary sanction for these frivolous, time-

1 consuming objections. There is no substantial justification for the multiplying of objections,  
2 and attempting to apply them all to every interrogatory through the impermissible use of  
3 “general objections”. *Korea Data Systems Co. v. Superior Court* (1997) 51 Cal.App.4th 1513,  
4 1516, noted that our courts “recognize the use of “boiler plate” objections as were provided in  
5 this case may be sanctionable ....”

6  
7 **SPECIAL INTERROGATORY NO. 46 :**

8 Does The Diocese of Tehuacan own any property in California, United States of America?

9 **RESPONSE:**

10 The Diocese incorporates by reference its Preliminary Statement and General  
11 Objections set forth above. The Diocese further objects to this Interrogatory because Plaintiff  
12 has exceeded the maximum number of special interrogatories authorized by Section 2030.030  
13 of the California Code of Civil Procedure and declines to respond to this Interrogatory on the  
14 same grounds.

15 **LEGAL AND FACTUAL REASONS FOR COMPELLING FURTHER RESPONSE:**

16 The objections made to this interrogatory are too general and/or meritless and/or  
17 frivolous, warranting sanctions. The objecting party has the burden of justifying an objection  
18 to an interrogatory. *Coy v. Superior Court* (1962) 58 Cal.2d 210, 220.

19 Defendant’s “General Objections” are prohibited. C.C.P. § 2030.210 requires that  
20 interrogatories be responded to separately. Subdivision (a) of Section 2030.210 states:

21 **(a) The party to whom interrogatories have been propounded shall**  
22 **respond in writing under oath separately to each interrogatory by any of**  
23 **the following:**

24 (1) An answer containing the information sought to be discovered.

25 (2) An exercise of the party's option to produce writings.

26 **(3) An objection to the particular interrogatory.**

27 [Emphasis added.]

Code of Civil Procedure Section 2030.240, subdivision (b), further provides that:

28 **(b) If an objection is made to an interrogatory or to a part of an**

1 interrogatory, **the specific ground for the objection shall be set forth**  
2 **clearly in the response.** If an objection is based on a claim of privilege, the  
3 particular privilege invoked shall be clearly stated. If an objection is based on  
4 a claim that the information sought is protected work product under Chapter  
5 4 (commencing with Section 2018.010), that claim shall be expressly  
6 asserted.

7 The subject interrogatory is relevant to the subject matter jurisdiction issue for which  
8 discovery is allowed at this stage in the litigation.

9 No privileges are involved in the subject matter of the interrogatory. The “General  
10 Objection” of “privilege” is too general as the Defendant does not identify any specific  
11 “privilege” for this particular interrogatory, the objection is waived because no specific  
12 “privilege” is timely interposed [C.C.P. § 2030.290; and *Scottsdale Ins. Co. v. Superior Court*  
13 (1997) 59 Cal.App.4th 263], the Defendant fails to establish the foundational prerequisites for  
14 invoking any “privilege”, and the Defendant provides no explanation whatsoever for what is  
15 “privileged” about the type of information sought in this discovery.

16 The objection concerning the maximum number of special interrogatories was cured  
17 during the “meet and confer” process by provision of a Declaration for Additional Discovery.  
18 See Motion Exhibit “C”, hereto.

19 The Court is requested to overrule all of these objections.

20 The Court is further requested to issue a monetary sanction for these frivolous, time-  
21 consuming objections. There is no substantial justification for the multiplying of objections,  
22 and attempting to apply them all to every interrogatory through the impermissible use of  
23 “general objections”. *Korea Data Systems Co. v. Superior Court* (1997) 51 Cal.App.4th 1513,  
24 1516, noted that our courts “recognize the use of “boiler plate” objections as were provided in  
25 this case may be sanctionable ....”

26 **SPECIAL INTERROGATORY NO. 47 :**

27 If The Diocese of Tehuacan does own property in California, United States of America, please  
28 identify the property.

1 RESPONSE:

2 The Diocese incorporates by reference its Preliminary Statement and General  
3 Objections set forth above. The Diocese further objects to this Interrogatory because Plaintiff  
4 has exceeded the maximum number of special interrogatories authorized by Section 2030.030  
5 of the California Code of Civil Procedure and declines to respond to this Interrogatory on the  
6 same grounds.

7 LEGAL AND FACTUAL REASONS FOR COMPELLING FURTHER RESPONSE:

8 The objections made to this interrogatory are too general and/or meritless and/or  
9 frivolous, warranting sanctions. The objecting party has the burden of justifying an objection  
10 to an interrogatory. *Coy v. Superior Court* (1962) 58 Cal.2d 210, 220.

11 Defendant's "General Objections" are prohibited. C.C.P. § 2030.210 requires that  
12 interrogatories be responded to separately. Subdivision (a) of Section 2030.210 states:

13 **(a) The party to whom interrogatories have been propounded shall**  
14 **respond in writing under oath separately to each interrogatory by any of**  
the following:

15 (1) An answer containing the information sought to be discovered.

16 (2) An exercise of the party's option to produce writings.

17 **(3) An objection to the particular interrogatory.**

18 [Emphasis added.]

19 Code of Civil Procedure Section 2030.240, subdivision (b), further provides that:

20 **(b) If an objection is made to an interrogatory or to a part of an**  
21 **interrogatory, the specific ground for the objection shall be set forth**  
22 **clearly in the response.** If an objection is based on a claim of privilege, the  
23 particular privilege invoked shall be clearly stated. If an objection is based on  
a claim that the information sought is protected work product under Chapter  
4 (commencing with Section 2018.010), that claim shall be expressly  
asserted.

24 The subject interrogatory is relevant to the subject matter jurisdiction issue for which  
25 discovery is allowed at this stage in the litigation.

26 No privileges are involved in the subject matter of the interrogatory. The "General  
27 Objection" of "privilege" is too general as the Defendant does not identify any specific  
28 "privilege" for this particular interrogatory, the objection is waived because no specific

1 “privilege” is timely interposed [C.C.P. § 2030.290; and *Scottsdale Ins. Co. v. Superior Court*  
2 (1997) 59 Cal.App.4th 263], the Defendant fails to establish the foundational prerequisites for  
3 invoking any “privilege”, and the Defendant provides no explanation whatsoever for what is  
4 “privileged” about the type of information sought in this discovery.

5 The objection concerning the maximum number of special interrogatories was cured  
6 during the “meet and confer” process by provision of a Declaration for Additional Discovery.  
7 See Motion Exhibit “C”, hereto.

8 The Court is requested to overrule all of these objections.

9 The Court is further requested to issue a monetary sanction for these frivolous, time-  
10 consuming objections. There is no substantial justification for the multiplying of objections,  
11 and attempting to apply them all to every interrogatory through the impermissible use of  
12 “general objections”. *Korea Data Systems Co. v. Superior Court* (1997) 51 Cal.App.4th 1513,  
13 1516, noted that our courts “recognize the use of “boiler plate” objections as were provided in  
14 this case may be sanctionable ....”

15  
16 **SPECIAL INTERROGATORY NO. 48 :**

17 If The Diocese of Tehuacan does own property in California, United States of America, please  
18 state the date the property was acquired.

19 **RESPONSE:**

20 The Diocese incorporates by reference its Preliminary Statement and General  
21 Objections set forth above. The Diocese further objects to this Interrogatory because Plaintiff  
22 has exceeded the maximum number of special interrogatories authorized by Section 2030.030  
23 of the California Code of Civil Procedure and declines to respond to this Interrogatory on the  
24 same grounds.

25 **LEGAL AND FACTUAL REASONS FOR COMPELLING FURTHER RESPONSE:**

26 The objections made to this interrogatory are too general and/or meritless and/or  
27 frivolous, warranting sanctions. The objecting party has the burden of justifying an objection  
28 to an interrogatory. *Coy v. Superior Court* (1962) 58 Cal.2d 210, 220.

1 Defendant's "General Objections" are prohibited. C.C.P. § 2030.210 requires that  
2 interrogatories be responded to separately. Subdivision (a) of Section 2030.210 states:

3 **(a) The party to whom interrogatories have been propounded shall**  
4 **respond in writing under oath separately to each interrogatory by any of**  
5 **the following:**

6 (1) An answer containing the information sought to be discovered.

7 (2) An exercise of the party's option to produce writings.

8 **(3) An objection to the particular interrogatory.**

9 [Emphasis added.]

10 Code of Civil Procedure Section 2030.240, subdivision (b), further provides that:

11 **(b) If an objection is made to an interrogatory or to a part of an**  
12 **interrogatory, the specific ground for the objection shall be set forth**  
13 **clearly in the response.** If an objection is based on a claim of privilege, the  
14 particular privilege invoked shall be clearly stated. If an objection is based on  
15 a claim that the information sought is protected work product under Chapter  
16 4 (commencing with Section 2018.010), that claim shall be expressly  
17 asserted.

18 The subject interrogatory is relevant to the subject matter jurisdiction issue for which  
19 discovery is allowed at this stage in the litigation.

20 No privileges are involved in the subject matter of the interrogatory. The "General  
21 Objection" of "privilege" is too general as the Defendant does not identify any specific  
22 "privilege" for this particular interrogatory, the objection is waived because no specific  
23 "privilege" is timely interposed [C.C.P. § 2030.290; and *Scottsdale Ins. Co. v. Superior Court*  
24 (1997) 59 Cal.App.4th 263], the Defendant fails to establish the foundational prerequisites for  
25 invoking any "privilege", and the Defendant provides no explanation whatsoever for what is  
26 "privileged" about the type of information sought in this discovery.

27 The objection concerning the maximum number of special interrogatories was cured  
28 during the "meet and confer" process by provision of a Declaration for Additional Discovery.

29 See Motion Exhibit "C", hereto.

30 The Court is requested to overrule all of these objections.

31 The Court is further requested to issue a monetary sanction for these frivolous, time-  
32 consuming objections. There is no substantial justification for the multiplying of objections,

1 and attempting to apply them all to every interrogatory through the impermissible use of  
2 "general objections". *Korea Data Systems Co. v. Superior Court* (1997) 51 Cal.App.4th 1513,  
3 1516, noted that our courts "recognize the use of "boiler plate" objections as were provided in  
4 this case may be sanctionable ...."

5  
6 **SPECIAL INTERROGATORY NO. 49 :**

7 If The Diocese of Tehuacan does own property in California, United States of America, please  
8 describe the nature of use of the property.

9 **RESPONSE:**

10 The Diocese incorporates by reference its Preliminary Statement and General  
11 Objections set forth above. The Diocese further objects to this Interrogatory because Plaintiff  
12 has exceeded the maximum number of special interrogatories authorized by Section 2030.030  
13 of the California Code of Civil Procedure and declines to respond to this Interrogatory on the  
14 same grounds.

15 **LEGAL AND FACTUAL REASONS FOR COMPELLING FURTHER RESPONSE:**

16 The objections made to this interrogatory are too general and/or meritless and/or  
17 frivolous, warranting sanctions. The objecting party has the burden of justifying an objection  
18 to an interrogatory. *Coy v. Superior Court* (1962) 58 Cal.2d 210, 220.

19 Defendant's "General Objections" are prohibited. C.C.P. § 2030.210 requires that  
20 interrogatories be responded to separately. Subdivision (a) of Section 2030.210 states:

21 **(a) The party to whom interrogatories have been propounded shall**  
22 **respond in writing under oath separately to each interrogatory by any of**  
23 **the following:**

24 (1) An answer containing the information sought to be discovered.

25 (2) An exercise of the party's option to produce writings.

26 **(3) An objection to the particular interrogatory.**

27 [Emphasis added.]

28 Code of Civil Procedure Section 2030.240, subdivision (b), further provides that:

**(b) If an objection is made to an interrogatory or to a part of an**



1 interrogatory, **the specific ground for the objection shall be set forth**  
2 **clearly in the response.** If an objection is based on a claim of privilege, the  
3 particular privilege invoked shall be clearly stated. If an objection is based on  
4 a claim that the information sought is protected work product under Chapter  
5 4 (commencing with Section 2018.010), that claim shall be expressly  
6 asserted.

7 The subject interrogatory is relevant to the subject matter jurisdiction issue for which  
8 discovery is allowed at this stage in the litigation.

9 No privileges are involved in the subject matter of the interrogatory. The "General  
10 Objection" of "privilege" is too general as the Defendant does not identify any specific  
11 "privilege" for this particular interrogatory, the objection is waived because no specific  
12 "privilege" is timely interposed [C.C.P. § 2030.290; and *Scottsdale Ins. Co. v. Superior Court*  
13 (1997) 59 Cal.App.4th 263], the Defendant fails to establish the foundational prerequisites for  
14 invoking any "privilege", and the Defendant provides no explanation whatsoever for what is  
15 "privileged" about the type of information sought in this discovery.

16 The objection concerning the maximum number of special interrogatories was cured  
17 during the "meet and confer" process by provision of a Declaration for Additional Discovery.  
18 See Motion Exhibit "C", hereto.

19 The Court is requested to overrule all of these objections.

20 The Court is further requested to issue a monetary sanction for these frivolous, time-  
21 consuming objections. There is no substantial justification for the multiplying of objections,  
22 and attempting to apply them all to every interrogatory through the impermissible use of  
23 "general objections". *Korea Data Systems Co. v. Superior Court* (1997) 51 Cal.App.4th 1513,  
24 1516, noted that our courts "recognize the use of "boiler plate" objections as were provided in  
25 this case may be sanctionable ...."

26 **SPECIAL INTERROGATORY NO. 50 :**

27 Please identify each and every communication in whatever form that any cleric, priest, brother,  
28 or lay employees of The Diocese of Tehuacan has had with any person incardinated with The  
Roman Catholic Archbishop of Los Angeles, A Corporation Sole.

1 RESPONSE:

2 The Diocese incorporates by reference its Preliminary Statement and General  
3 Objections set forth above. The Diocese further objects to this Interrogatory because Plaintiff  
4 has exceeded the maximum number of special interrogatories authorized by Section 2030.030  
5 of the California Code of Civil Procedure and declines to respond to this Interrogatory on the  
6 same grounds.

7 LEGAL AND FACTUAL REASONS FOR COMPELLING FURTHER RESPONSE:

8 The objections made to this interrogatory are too general and/or meritless and/or  
9 frivolous, warranting sanctions. The objecting party has the burden of justifying an objection  
10 to an interrogatory. *Coy v. Superior Court* (1962) 58 Cal.2d 210, 220.

11 Defendant's "General Objections" are prohibited. C.C.P. § 2030.210 requires that  
12 interrogatories be responded to separately. Subdivision (a) of Section 2030.210 states:

13 **(a) The party to whom interrogatories have been propounded shall**  
14 **respond in writing under oath separately to each interrogatory** by any of  
the following:

15 (1) An answer containing the information sought to be discovered.

16 (2) An exercise of the party's option to produce writings.

17 **(3) An objection to the particular interrogatory.**

18 [Emphasis added.]

19 Code of Civil Procedure Section 2030.240, subdivision (b), further provides that:

20 **(b) If an objection is made to an interrogatory** or to a part of an  
21 **interrogatory, the specific ground for the objection shall be set forth**  
22 **clearly in the response.** If an objection is based on a claim of privilege, the  
23 particular privilege invoked shall be clearly stated. If an objection is based on  
a claim that the information sought is protected work product under Chapter  
4 (commencing with Section 2018.010), that claim shall be expressly  
asserted.

24 The subject interrogatory is relevant to the subject matter jurisdiction issue for which  
25 discovery is allowed at this stage in the litigation.

26 No privileges are involved in the subject matter of the interrogatory. The "General  
27 Objection" of "privilege" is too general as the Defendant does not identify any specific  
28 "privilege" for this particular interrogatory, the objection is waived because no specific

1 “privilege” is timely interposed [C.C.P. § 2030.290; and *Scottsdale Ins. Co. v. Superior Court*  
2 (1997) 59 Cal.App.4th 263], the Defendant fails to establish the foundational prerequisites for  
3 invoking any “privilege”, and the Defendant provides no explanation whatsoever for what is  
4 “privileged” about the type of information sought in this discovery.

5 The objection concerning the maximum number of special interrogatories was cured  
6 during the “meet and confer” process by provision of a Declaration for Additional Discovery.  
7 See Motion Exhibit “C”, hereto.

8 The Court is requested to overrule all of these objections.

9 The Court is further requested to issue a monetary sanction for these frivolous, time-  
10 consuming objections. There is no substantial justification for the multiplying of objections,  
11 and attempting to apply them all to every interrogatory through the impermissible use of  
12 “general objections”. *Korea Data Systems Co. v. Superior Court* (1997) 51 Cal.App.4th 1513,  
13 1516, noted that our courts “recognize the use of “boiler plate” objections as were provided in  
14 this case may be sanctionable ....”

15  
16 **SPECIAL INTERROGATORY NO. 51 :**

17 Has any person incardinated in The Diocese of Tehuacan been accused of sexually abusing  
18 minors while that incardinated person was in California, United States of America?

19 **RESPONSE:**

20 The Diocese incorporates by reference its Preliminary Statement and General  
21 Objections set forth above. The Diocese further objects to this Interrogatory because Plaintiff  
22 has exceeded the maximum number of special interrogatories authorized by Section 2030.030  
23 of the California Code of Civil Procedure and declines to respond to this Interrogatory on the  
24 same grounds.

25 **LEGAL AND FACTUAL REASONS FOR COMPELLING FURTHER RESPONSE:**

26 The objections made to this interrogatory are too general and/or meritless and/or  
27 frivolous, warranting sanctions. The objecting party has the burden of justifying an objection  
28 to an interrogatory. *Coy v. Superior Court* (1962) 58 Cal.2d 210, 220.

1 Defendant's "General Objections" are prohibited. C.C.P. § 2030.210 requires that  
2 interrogatories be responded to separately. Subdivision (a) of Section 2030.210 states:

3 **(a) The party to whom interrogatories have been propounded shall**  
4 **respond in writing under oath separately to each interrogatory by any of**  
5 the following:

6 (1) An answer containing the information sought to be discovered.

7 (2) An exercise of the party's option to produce writings.

8 **(3) An objection to the particular interrogatory.**

9 [Emphasis added.]

10 Code of Civil Procedure Section 2030.240, subdivision (b), further provides that:

11 **(b) If an objection is made to an interrogatory or to a part of an**  
12 **interrogatory, the specific ground for the objection shall be set forth**  
13 **clearly in the response.** If an objection is based on a claim of privilege, the  
14 particular privilege invoked shall be clearly stated. If an objection is based on  
15 a claim that the information sought is protected work product under Chapter  
16 4 (commencing with Section 2018.010), that claim shall be expressly  
17 asserted.

18 The subject interrogatory is relevant to the subject matter jurisdiction issue for which  
19 discovery is allowed at this stage in the litigation.

20 No privileges are involved in the subject matter of the interrogatory. The "General  
21 Objection" of "privilege" is too general as the Defendant does not identify any specific  
22 "privilege" for this particular interrogatory, the objection is waived because no specific  
23 "privilege" is timely interposed [C.C.P. § 2030.290; and *Scottsdale Ins. Co. v. Superior Court*  
24 (1997) 59 Cal.App.4th 263], the Defendant fails to establish the foundational prerequisites for  
25 invoking any "privilege", and the Defendant provides no explanation whatsoever for what is  
26 "privileged" about the type of information sought in this discovery.

27 The objection concerning the maximum number of special interrogatories was cured  
28 during the "meet and confer" process by provision of a Declaration for Additional Discovery.

29 See Motion Exhibit "C", hereto.

30 The Court is requested to overrule all of these objections.

31 The Court is further requested to issue a monetary sanction for these frivolous, time-  
32 consuming objections. There is no substantial justification for the multiplying of objections,

1 and attempting to apply them all to every interrogatory through the impermissible use of  
2 "general objections". *Korea Data Systems Co. v. Superior Court* (1997) 51 Cal.App.4th 1513,  
3 1516, noted that our courts "recognize the use of "boiler plate" objections as were provided in  
4 this case may be sanctionable ...."

5  
6 **SPECIAL INTERROGATORY NO. 52 :**

7 If a person incardinated in The Diocese of Tehuacan has been accused of sexually abusing a  
8 minor in California, please describe how The Diocese of Tehuacan became aware of the abuse.

9 **RESPONSE:**

10 The Diocese incorporates by reference its Preliminary Statement and General  
11 Objections set forth above. The Diocese further objects to this Interrogatory because Plaintiff  
12 has exceeded the maximum number of special interrogatories authorized by Section 2030.030  
13 of the California Code of Civil Procedure and declines to respond to this Interrogatory on the  
14 same grounds.

15 **LEGAL AND FACTUAL REASONS FOR COMPELLING FURTHER RESPONSE:**

16 The objections made to this interrogatory are too general and/or meritless and/or  
17 frivolous, warranting sanctions. The objecting party has the burden of justifying an objection  
18 to an interrogatory. *Coy v. Superior Court* (1962) 58 Cal.2d 210, 220.

19 Defendant's "General Objections" are prohibited. C.C.P. § 2030.210 requires that  
20 interrogatories be responded to separately. Subdivision (a) of Section 2030.210 states:

21 **(a) The party to whom interrogatories have been propounded shall**  
22 **respond in writing under oath separately to each interrogatory by any of**  
the following:

23 (1) An answer containing the information sought to be discovered.

24 (2) An exercise of the party's option to produce writings.

25 **(3) An objection to the particular interrogatory.**

26 [Emphasis added.]

27 Code of Civil Procedure Section 2030.240, subdivision (b), further provides that:

28 **(b) If an objection is made to an interrogatory or to a part of an**

1 interrogatory, **the specific ground for the objection shall be set forth**  
2 **clearly in the response.** If an objection is based on a claim of privilege, the  
3 particular privilege invoked shall be clearly stated. If an objection is based on  
4 a claim that the information sought is protected work product under Chapter  
5 4 (commencing with Section 2018.010), that claim shall be expressly  
6 asserted.

7 The subject interrogatory is relevant to the subject matter jurisdiction issue for which  
8 discovery is allowed at this stage in the litigation.

9 No privileges are involved in the subject matter of the interrogatory. The "General  
10 Objection" of "privilege" is too general as the Defendant does not identify any specific  
11 "privilege" for this particular interrogatory, the objection is waived because no specific  
12 "privilege" is timely interposed [C.C.P. § 2030.290; and *Scottsdale Ins. Co. v. Superior Court*  
13 (1997) 59 Cal.App.4th 263], the Defendant fails to establish the foundational prerequisites for  
14 invoking any "privilege", and the Defendant provides no explanation whatsoever for what is  
15 "privileged" about the type of information sought in this discovery.

16 The objection concerning the maximum number of special interrogatories was cured  
17 during the "meet and confer" process by provision of a Declaration for Additional Discovery.  
18 See Motion Exhibit "C", hereto.

19 The Court is requested to overrule all of these objections.

20 The Court is further requested to issue a monetary sanction for these frivolous, time-  
21 consuming objections. There is no substantial justification for the multiplying of objections,  
22 and attempting to apply them all to every interrogatory through the impermissible use of  
23 "general objections". *Korea Data Systems Co. v. Superior Court* (1997) 51 Cal.App.4th 1513,  
24 1516, noted that our courts "recognize the use of "boiler plate" objections as were provided in  
25 this case may be sanctionable ...."

26 **SPECIAL INTERROGATORY NO. 53 :**

27 If a person incardinated in The Diocese of Tehuacan has been accused of sexually abusing a  
28 minor in California, please state the date The Diocese of Tehuacan became aware of the abuse.

1 RESPONSE:

2 The Diocese incorporates by reference its Preliminary Statement and General  
3 Objections set forth above. The Diocese further objects to this Interrogatory because Plaintiff  
4 has exceeded the maximum number of special interrogatories authorized by Section 2030.030  
5 of the California Code of Civil Procedure and declines to respond to this Interrogatory on the  
6 same grounds.

7 LEGAL AND FACTUAL REASONS FOR COMPELLING FURTHER RESPONSE:

8 The objections made to this interrogatory are too general and/or meritless and/or  
9 frivolous, warranting sanctions. The objecting party has the burden of justifying an objection  
10 to an interrogatory. *Coy v. Superior Court* (1962) 58 Cal.2d 210, 220.

11 Defendant's "General Objections" are prohibited. C.C.P. § 2030.210 requires that  
12 interrogatories be responded to separately. Subdivision (a) of Section 2030.210 states:

13 **(a) The party to whom interrogatories have been propounded shall**  
14 **respond in writing under oath separately to each interrogatory by any of**  
the following:

15 (1) An answer containing the information sought to be discovered.

16 (2) An exercise of the party's option to produce writings.

17 **(3) An objection to the particular interrogatory.**

18 [Emphasis added.]

19 Code of Civil Procedure Section 2030.240, subdivision (b), further provides that:

20 **(b) If an objection is made to an interrogatory or to a part of an**  
21 **interrogatory, the specific ground for the objection shall be set forth**  
22 **clearly in the response.** If an objection is based on a claim of privilege, the  
23 particular privilege invoked shall be clearly stated. If an objection is based on  
a claim that the information sought is protected work product under Chapter  
4 (commencing with Section 2018.010), that claim shall be expressly  
asserted.

24 The subject interrogatory is relevant to the subject matter jurisdiction issue for which  
25 discovery is allowed at this stage in the litigation.

26 No privileges are involved in the subject matter of the interrogatory. The "General  
27 Objection" of "privilege" is too general as the Defendant does not identify any specific  
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13 1516, noted that our courts "recognize the use of "boiler plate" objections as were provided in  
14 this case may be sanctionable ...."

15

16 Dated: July 23, 2007

CARCIONE, CATTERMOLLE, DOLINSKI,  
OKIMOTO, STUCKY, UKSHINI,  
MARKOWITZ & CARCIONE, LLP

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By: \_\_\_\_\_  
Attorney for Plaintiff