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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

Advocates for Individuals with Disabilities,
Foundation, Inc.,

Plaintiff,

vs.

[REDACTED]

Defendants

Case No [REDACTED]

DISCOVERY REQUEST NO 1

TO: DEFENDANT(S)

INSTRUCTIONS FOR USE

- A. All information is to be divulged which is in the possession of the individual or corporate party, his attorneys, investigators, agents, employees or other representatives of the named party.
- B. When an individual interrogatory calls for an answer which involves more than one part, each part of the answer should clearly set out so that it is understandable.
- C. When the terms "you", "Plaintiff" or "Defendant" are used, they are meant to include every individual party and include your agents, employees, your attorneys, your accountants, your investigators, anyone else acting on your behalf. Separate answers should be given for each person named as the party, if requested.

- 1 D. When the term "document" is used, it is meant to include every "writing", "recording"
and photograph" as those terms are defined in Rule 1001, Ariz. R. Evid.
- 2 E. Where the terms "claim" or "claims" are used, they are meant to mean or to include a
3 demand, cause of action or assertion for something due or believed to be due.
- 4 F. Where the terms "defense" or "defenses" are used, they are meant to mean or to include
5 any justification, excuse, denial or affirmative defense in response to the opposing
6 party's claim.
- 7 G. Where the term "negotiation(s)" is used, it is meant to mean or to include
8 conversations, discussions, meeting, conferences and other written or verbal exchanges
which relate to the contract.
- 9 H. Where the term "ADA" is used, it refers to Title III of the Americans with Disabilities
10 Act, 42 U.S.C. §§ 12101 et seq., and its implementing regulations 28 CFR §§ 36.101
et seq.
- 11 I. Where the term "AzDA" is used, it refers to A.R.S. §§ 41-1492 et seq. and its
12 implementing regulations, R10-3-401 et seq.
- 13 J. Where the term "Standards" is used, it refers to 2010 Standards of Accessibility Design
14 promulgated by the United States Department of Justice.
- 15 K. Where the term "Public Accommodation" is used it refers to the facility referenced in
16 the Verified Complaint, its management and ownership.

17 Pursuant to Arizona Rules of Civil Procedure, Rules 26 through 37, please provide
18 the following discovery:

19 **UNIFORM CONTRACT INTERROGATORIES**

20 Please answer Uniform Contract Interrogatories 1, 2, 4, 5, 6, 7, 8, 9, 10 and 11.

21 **REQUESTS FOR ADMISSIONS**

- 22 1. Admit that the public accommodation which is the subject matter of the Verified
23 Complaint was in violation of the AzDA, the ADA and the Standards.

24 ADMIT _____ DENY _____

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2. Admit that the public accommodation which is the subject matter of the Verified Complaint does not have policies regarding the operation and management of the Public Accommodation.

ADMIT _____ DENY _____

3. Admit that the Public Accommodation which is the subject matter of the Verified Complaint does not have a plan or policy that is reasonably calculated to make its entire public accommodation fully accessible to and independently usable by disabled individuals.

ADMIT _____ DENY _____

NON-UNIFORM CONTRACT INTERROGATORIES
(If spaces provided below are insufficient to fully disclose requested information, please attach additional sheets referencing the proper interrogatory)

1. If you did not unconditionally admit each of the Requests for Admission above, please state all facts and legal considerations for your denial.



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2. Please describe all actions you or anyone on your behalf have/has taken since 1991 to comply with the AzDA, the ADA and the Standards.

3. Please describe in detail any actual or suspected non-compliance of the Public Accommodation with the AzDA, the ADA or the Standards.

1 4. Please identify the person or entity responsible for the Public Accommodation's
2 compliance with the AzDA, the ADA and the Standards.

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12 5. Please identify by name, address, telephone number, e-mail address any and all tenants
13 who rent or lease space at the Public Accommodation.

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REQUEST FOR PRODUCTION OF DOCUMENTS

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1. Please produce any and all policies regarding the operation and management of the Public Accommodation, including, without limitation, any plan or policy that is reasonably calculated to make its entire public accommodations fully accessible to and independently usable by disabled individuals.
2. Please produce any and all architectural drawings, plats, maps and schematics for the Public Accommodation.
3. Please produce any and all rental or lease agreements for any space within the Public Accommodation effective on the date of the filing of the Verified Complaint until the present. Further produce all rental/lease applications and financial records of each renter or tenant.
4. If you claim that compliance with the AzDA, the ADA and/or the Standards is not readily achievable, please produce your complete financial records for the 5 years preceding the issuance of this Discovery Request No 1. These records include, without limitation, tax records, profit and loss statements, income statements, bank statements, credit applications,

RESPECTFULLY SUBMITTED [REDACTED]



Peter Strojnik, State Bar No 6464
Attorneys for Plaintiff