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LAW OFFICES
SHIELD & SMITH
1200 WILSHIRE BOULEVARD
LOS ANGELES, CALIFORNIA 90017
TELEPHONE 482-3010

(SPACE BELOW FOR FILING STAMP ONLY)

#3635

ATTORNEYS FOR Defendant

REICHHOLD CHEMICALS, INC.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

NIAOMI AMITON, et al.,
Plaintiffs,
v.
MACKLIN COMPANY, INC., et al.,
Defendants.

CASE NO. C 526 841
NOTICE OF MOTION TO COMPEL
ANSWERS TO INTERROGATORIES;
MEMORANDUM OF POINTS AND
AUTHORITIES; DECLARATION OF
J. LAWRENCE JUDY
HEARING: August 6, 1985
TIME: 9:00 a.m.
DEPT. 82
TRIAL DATE: None

URL 08324

TO THE PLAINTIFFS, BARBARA BARBARA ACKERLEY, AND NIAOMI AMITON, AND
TO THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on August 6, 1985, at 9:00 a.m., or as soon thereafter
as the matter may be heard, in Department 82 of the Los Angeles County Superior Court
located at 111 North Hill Street, Los Angeles, California, defendant, REICHHOLD
CHEMICALS, INC., will move the Court for an Order compelling plaintiffs, NIAOMI
AMITON and BARBARA ACKERLEY, to answer interrogatories served on plaintiffs'
attorneys of record on April 4, 1985. This motion will be made and based on the grounds
that the plaintiffs have failed to answer the interrogatories served on their attorneys on
April 4, 1985.

MEMORANDUM OF POINTS AND AUTHORITIES

Code of Civil Procedure, Section 2030 provides:

"Any party may serve upon any other party
written interrogatories to be answered by the party
served. . . . The interrogatories shall be answered
separately and fully in writing under oath. The
answers shall be signed by the person making them;
and the party upon whom the interrogatories have
been served shall serve the answers on the party
submitting the interrogatories within 30 days after
the service of the interrogatories. . . ."

As more fully appears in the attached Declaration of J. Lawrence Judy, on April 4,
1985, separate sets of interrogatories propounded to plaintiffs, NIAOMI AMITON and
BARBARA ACKERLEY, by defendant, REICHHOLD CHEMICALS, INC. (Nos. 1 through
121) were served on plaintiffs' attorneys. At the preparation of this motion, the
plaintiffs' answers to the interrogatories have not been received at the offices of
Shield & Smith.

It is respectfully submitted that the plaintiffs should be compelled to answer,
separately and without objection, the interrogatories served on their attorneys on
April 4, 1985.

DATED: July 16, 1985

SHIELD & SMITH

By J. LAWRENCE JUDY
Attorneys for Defendant, REICHHOLD
CHEMICALS, INC.

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TELEPHONE 482-3010

(SPACE BELOW FOR FILING STAMP ONLY)

ATTORNEYS FOR Defendant _____
REICHHOLD CHEMICALS, INC.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

NIAOMI AMITON, et al.,	)	CASE NO. C 526 841
	)	
Plaintiffs,	)	DECLARATION OF J. LAWRENCE
	)	JUDY IN SUPPORT OF MOTION TO
v.	)	COMPEL ANSWERS TO
	)	INTERROGATORIES
MACKLIN COMPANY, INC., et al.,	)	
	)	HEARING: August 6, 1985
Defendants.	)	TIME: 9:00 a.m.
	)	DEPT. 82
	)	TRIAL DATE: None

I, J. LAWRENCE JUDY, declare:

1. I am an attorney at law admitted to practice before all the Courts of the State of California. I am a partner at Shield & Smith, attorneys for defendant, REICHHOLD CHEMICALS, INC. I have reviewed and am familiar with my firm's file pertaining to this litigation. If called as a witness, I would competently testify to the following facts and circumstances.

2. On April 4, 1985, separate sets of interrogatories to plaintiffs, NIAOMI AMITON and BARBARA ACKERLEY, by defendant, REICHHOLD CHEMICALS, INC., were served by mail on the plaintiffs' attorneys of record. On May 3, 1985, an extension of time within which to respond to these interrogatories was granted. As a result of this extension, the plaintiffs' responses to the interrogatories were due on June 12, 1985. A

JRL 08327

1 photocopy of this letter is attached as Exhibit "A".

2 3. On June 13, 1985, this office addressed a letter to plaintiffs' attorneys,
3 requesting receipt of plaintiffs' interrogatory answers on or before July 1, 1985. A
4 photocopy of the file copy of this letter is attached as Exhibit "B".

5 4. At the preparation of this Declaration, the plaintiffs' answers to the
6 interrogatories served on April 1, 1985, have not been received at this office. There have
7 been no further extensions of time within which to answer the interrogatories requested
8 by or granted to the plaintiffs or their attorneys.

9 5. The interrogatories served on April 1, 1985, seek information that is
10 fundamental to this defendant's investigation of this matter and the preparation of the
11 matter. Without the information requested in the interrogatories, the defendant cannot
12 adequately evaluate the matter for purposes of settlement or prepare the matter for
13 trial.

14 In accord with the laws of the State of California, I declare under penalty of
15 perjury that the foregoing is true and correct and that this Declaration was executed on
16 July 16, 1985, at Los Angeles, California.

17
18 By J. LAWRENCE JUDY
19 Declarant
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LAW OFFICES
SCHLOTHAUER & ELLISON
11661 W. SAN VICENTE BOULEVARD, SUITE 303
LOS ANGELES, CALIFORNIA 90049
(213) 820-8606

RECEIVED

MAY 8 1985

SHIELD & SMITH

THOMAS L. SCHLOTHAUER
TERRI H. ELLISON
VICTORIA E. TOWNSEND
JAMES P. DEXHEIMER

RANDOLPH K. VAHAN
MARK S. COLLINS
ROBERT L. LUTY
OF COUNSEL

May 3, 1985

J. Lawrence Judy, Esq.
SHIELD & SMITH
1200 Wilshire Boulevard
Los Angeles, 90017

RE: Amiton v. Macklin Company, et al.
Our File No.: 1000.643

Dear Mr. Judy:

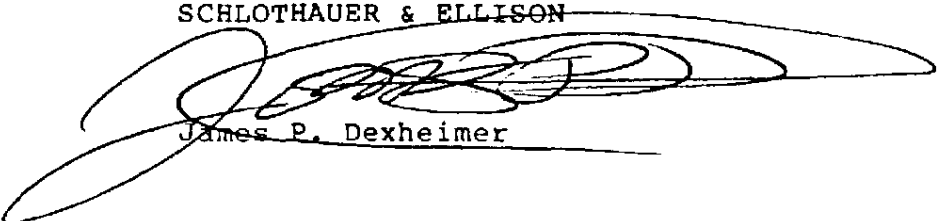
This will confirm the conversation between our respective offices wherein your office graciously granted our client an extension through and including June 12, 1985, within which to respond to interrogatories propounded by your office on April 4, 1985.

As we explained in our phone conversation, our offices are going to be substituted out of this case in the near future. We will provide you with a conformed copy of the fully executed Substitution of Attorney at our earliest convenience.

Your cooperation and courtesy in this matter is greatly appreciated. If we can be of any assistance to you, please contact us.

Very truly yours,

SCHLOTHAUER & ELLISON


James P. Dexheimer

JPD/jl

EXHIBIT "A"

URL 08329

THEODORE F. SHIELD, INC.
INGALL W. BULL, JR.
RICHARD S. CASTLE
G. RICHARD FORD
STEVEN J. FREEBURG
TIMOTHY L. WALKER
NICHOLAS F. HORNBERGER
JOHN S. LOOMIS
J. LAWRENCE JUDY
GERALD A. SHEPPARD
GARY ROBERT GIBEAUT
WILLIAM C. HOGGERTY
BORDOON A. OPEL
JEFFREY S. BEHAR
DAVID M. HILLINGS
GREG W. GIBEAUT
KAREN S. FREEBURG
JAMES G. SCADDEN

ARTHUR W. SCHULTZ
JOEL T. GLASSMAN
MARINA A. MACCHIAGOGENA
LESLIE E. CRISWELL
KIM M. NAKAMURA
JUDITH BANDEL COOPER
ANN C. MCCORMICK
CHARLES F. NETTELS
MARK STEVEN HENNING
JEFFREY S. GRIDER
DENNIS J. WALSH
DONNA ROGERS KIRBY
A. DOUGLAS RUYSDORF
ROBERT F. HAMILTON
GARY D. SHARP
JOHN P. LECRONE
JON THEODORE MOSELEY
WILLIAM J. MOSELEY, JR.

LAW OFFICES
SHIELD & SMITH
SUITE 400
1200 WILSHIRE BOULEVARD
LOS ANGELES, CALIFORNIA 90017
TELEPHONE (213) 482-3010

FOR PESTALDETS
1897-1991
GERALD F. SMITH, JR.
1918-1974
OF COUNSEL
JOHN A. LOOMIS

June 13, 1985

Schlothauer & Ellison
11661 San Vicente Boulevard
Suite 303
Los Angeles, California 90049

RE: AMITON v. MACKLIN COMPANY, INC., et al.

Gentlemen:

On April 4, 1985, a First Set of Interrogatories Propounded to Plaintiff, Niamoi Amiton, by Defendant, Reichhold Chemicals, Inc. was served on your offices. On the same date a separate set of interrogatories propounded to Barbara Ackerley was served on your offices.

On May 3, 1985, you confirmed an extension of time to and including June 12, 1985 within which to respond to the interrogatories. In your May 3, 1985 letter you indicated that the extension was necessary because you would soon be substituted out of the matter. The Substitution of Attorney has not been received. The answers to interrogatories have not been received.

Please forward the plaintiffs' answers to the interrogatories propounded on April 4, 1985 so that they are received in this office on or before July 1, 1985.

Very truly yours,

J. LAWRENCE JUDY
Of SHIELD & SMITH

JLJ:dr

EXHIBIT "B"

URL 08330

(PROOF OF SERVICE BY MAIL — 1013a, 2015.5 C.C.P.)

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is: 1200 Wilshire Boulevard, Suite 400, Los Angeles, California 90017.

On July 16, 1985, I served the within

NOTICE OF MOTION TO COMPEL ANSWERS TO INTERROGATORIES;
MEMORANDUM OF POINTS AND AUTHORITIES; DECLARATION OF
J. LAWRENCE JUDY

on the interested parties in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California, addressed as follows:

SCHLOTHAUER & ELLISON
11661 San Vicente Boulevard, Suite 303
Los Angeles, CA 90049

ROPER & FOLINO
3434 West Sixth Street, Suite 200
Los Angeles, CA 90020

CHASE, ROTCHFORD, DRUKKER & BOGUST
700 South Flower Street, 5th Floor
Los Angeles, CA 90017

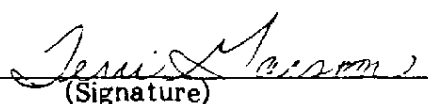
McCLINTOCK, KIWAN, BENSHOOF, ROCHEFORT & WESTON
611 West Sixth Street, Suite 2100
Los Angeles, CA 90017

HILL, GENSON, EVEN, CRANDALL & WADE
505 Shatto Place
Los Angeles, CA 90020

X (By mail) I caused such envelope with postage thereon fully prepaid to be placed in the United States mail. Executed on July 15, 1985, at Los Angeles, California.

(By Personal Service) I caused such envelope to be delivered by hand to the offices of _____ at Los Angeles, California. Executed on _____

I declare, under penalty of perjury under the laws of the State of California that the foregoing is true and correct.


(Signature)
Terri Garson