

1 is relevant, and (2) is intended to harass and cause unnecessary or to needlessly
2 increase the cost of this litigation. Without waiving said objections, WWCC
3 responds that the document speaks for itself and is subject to further interpretation by
4 the parties as the need arises.

5 34. The authorities cited in your Joint Representation Agreement were all decided in the
6 context of criminal prosecutions. Set forth any authority you have for your
7 contention that your communications with CREA and its counsel Witherspoon,
8 Kelley, Davenport & Toole P.S. after the date the Joint Representation Agreement
9 was executed by all the signators are protected from disclosure under the attorney-
10 client privilege.

11 **RESPONSE:** WWCC objects to this Data Request on the ground that it seeks
12 to discover information that (1) is not relevant to the issues in this proceeding, nor
13 will it lead to the discovery or production of information that is relevant, and (2) is
14 intended to harass and cause unnecessary or to needlessly increase the cost of this
15 litigation. WWCC further objects to this Data Request on the ground that it seeks a
16 legal conclusion and is outside the scope of permissible discovery in this matter.

17 35. Please refer to Attachment I, page 44. Scott Peters of CREA states that “our attorney
18 has spoken to Tom...” Who is the individual referred to as CREA’s attorney?

19 **RESPONSE:** WWCC objects to this Data Request on the ground that it seeks to
20 discover information that (1) is not relevant to the issues in this proceeding, nor will it
21 lead to the discovery or production of information that is relevant, and (2) is intended
22 to harass and cause unnecessary or to needlessly increase the cost of this litigation.

23 Without waiving said objection, WWCC responds that it is likely Scott Peters of
24 CREA was referring to Stanley M. Schwartz, who on behalf of Witherspoon Kelley,
25 is general counsel to CREA.

26 36. Please refer to Attachment I, page 14. A representative of The Walla Walla Country