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BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

In re the Application of

Case No. TV-161097

**CHERYL ANN BALL
D/B/A/ ACME MOVING LABOR.**

**APPLICANT'S REQUESTS FOR
PRODUCTION**

To: WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION.

COMES NOW, Applicant, **CHERYL ANN BALL D/B/A/ ACME MOVING LABOR**, by and through undersigned counsel, and hereby request the **WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**, produce and/or permit the inspection and copying of the following documents, writings, and other data within thirty (30) days of service, at the offices of the attorneys for Applicant, DAY LAW & ASSOCIATES, PC, 15055 SW Sequoia Parkway, Suite 170, Portland, Oregon, 97224:

1 INSTRUCTIONS AND DEFINITIONS

2 Please refer to these definitions and instructions in providing your responses. Unless
3 otherwise clearly indicated by the context thereof, the following definitions and instructions
4 shall apply to each of the interrogatories set forth below:

4 INSTRUCTIONS

5 1. In producing the documents called for, **segregate the documents so as to**
6 **identify the numbered request to which each such document(s) responds.** Documents
7 produced in response to these requests must be identified with reference to the specifically
8 numbered request(s) to which said documents are responsive.

9 2. If in your possession, custody, or control, produce the originals of all
10 documents called for, as well as any and all copies of the documents which bear any mark or
11 notation not present on the original.

12 3. If you once had any documents called for herein which have since been
13 destroyed or otherwise disposed, so indicate and describe the documents by date, author(s),
14 address(ees), and general subject matter.

15 4. If you once had any documents called for herein, but no longer do, so indicate
16 and describe the documents by date, author(s), address(es), and general subject matter, and
17 indicate the name and address of the person or entity who has possession, control or custody,
18 or who was last known to have possession, control or custody of the document.

19 5. These requests are a continuing request for all documents which are now or
20 may hereafter come into your actual or constructive possession, custody, or control, and shall
21 include documents generated, created, prepared, or received during the period of this request,
22 through the date of compliance with this request, or trial, whichever is later, unless otherwise
23 stated.

24 6. For each such document responsive to these requests and which is sought to
be withheld under a claim of privilege, the following information must be provided:

a. The place, date (or approximate date), and the manner of recording or
otherwise preparing document;

b. The name and title of the sender and the name and title of the recipient
of the document;

c. A description of the subject of the document;

d. The identity of each person or persons (other than stenographic or
clerical assistance) participating in the preparation of the documents;

1 e. The identity of each person to whom the contents of the document
2 have heretofore been communicated by copy, exhibition, sketch, reading, or
3 substantial summarization, the dates of such said communication, and the employer
4 and title of the person at the time of said communication;

f. A statement of the basis on which privilege is claimed; and

5 g. The identity and title of the person or persons supplying your attorney
6 with the information requested in subsections (a) through (g) above.

7 7. All documents produced in response to this request shall be produced in total
8 notwithstanding the fact that portions may contain information not requested.

9 8. For any documents that are stored or maintained in files in the normal course
10 of business, such documents shall be produced in such files, or in such a manner so as to
11 preserve and identify the file from which such documents were taken.

12 DEFINITIONS

13 1. "WUTC" means **WASHINGTON UTILITIES AND TRANSPORTATION**
14 **COMMISSION**, and anyone acting on its behalf. This includes its agents, employees,
15 attorneys, accountants, investigators, insurance companies and their agents and employees,
16 and anyone else acting on or authorized to act on WUTC's behalf.

17 2. "Applicant" means **CHERYL ANN BALL D/B/A/ ACME MOVING LABOR**. This
18 includes the individual and corporate Applicant, as well as its agents, employees, attorneys,
19 accountants, investigators, insurance companies and their agents and employees, and anyone
20 else acting on or authorized to act on Applicant's behalf. This definition includes the
21 individual Applicant both personally and as an officer or agent of the applicant company.

22 3. "You" and/or "your" means WUTC and/or anyone acting on its behalf. This
23 includes you, your agents, your employees, your insurance companies, their agents, their
24 employees, your attorneys, your accountants, your investigators, and anyone else acting on
your behalf. This definition applies unless otherwise stated.

4. "Incident" includes the circumstances and events surrounding the alleged
accident, injury, or other occurrence or breach of contract giving rise to this action or
proceeding.

5. "Person" includes a natural person, firm, association, organization,
partnership, business, trust, corporation, or public entity.

6. "Address" or "contact information" means the complete street address,
including the city, state, zip code, phone number, and email address.

1 7. “Communication” or “correspondence” means, without limitation, any oral,
2 written, telephonic, radio, video, or electronic transmission of information, demands or
3 questions, including but not limited to conversations, meetings, discussions, telephone calls,
4 telegrams, teletypes, telexes, seminars, conferences, writings, letters, messages, notes, or
5 memoranda. This includes, but is not limited to, social media posts or messages, text
6 messages (even if made with or from someone else’s phone), emails (regardless of the
7 device, account, or profile used to create and/or send said emails), letters, handwritten or
8 typed notes, or any other statement made in any medium or form of communication.

9 8. “Document” or “Documents” means a writing, recording, or photograph. The
10 definition is intended to include all documents, agreements, correspondence, records, ledgers,
11 contracts, bills, invoices, bills of lading, inventories, financial data, memoranda, notes, or
12 other writings, formal or informal in nature, accounting and financial records, diaries,
13 statements, telegrams, draft, work papers, paper and magnetic tapes, charts, computer cards
14 and print outs, electronically or magnetically stored information or data, minutes,
15 publications, calendars, telephone pads, bulletins, directives, logs and listings, in your actual
16 or constructive possession, custody or control, or of which you have knowledge of the
17 existence, and whether prepared, published or released by you or by any other person or
18 entity. Without limitation on the foregoing, the term “documents” shall include any copy
19 which differs in any respect from the original or other versions of the documents, such as
20 copies containing notations, insertions, corrections, marginal notes, or any variations.

21 9. “Notice” shall include formal and informal notification and is not limited to
22 “notice” as that term is used in any policy issued to or contract entered into by you.

23 10. “Person” or “Persons” means any natural person, individual, proprietorship,
24 partnership, corporation, association, organization, joint venture, firm, other business
enterprise, governmental body, group of natural persons, or other entity.

 11. “Relate to” or “Relating to” means “touches upon the subject matter of the
request in any way,” and should be considered in the broadest practicable interpretation.
When such term is used in connection with the identification of a document, it includes the
identified document itself as well as any other documents requested.

 12. The plural shall include the singular and the singular shall include the plural.
The feminine shall be deemed to include the masculine and *vice versa*. The conjunction
“and” shall be deemed to include the disjunctive “or” and *vice versa*. “Any” shall also mean
“all” and *vice versa*.

1 **CERTIFICATE OF SERVICE**

2 *I HEREBY CERTIFY* that true and correct copies of the document(s) identified below
3 were served in the following manner, to:


4

DOCUMENT SERVED	APPLICANT'S REQUESTS FOR PRODUCTION
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PERSON/ENTITY SERVED	DESIGNATION	SERVICE METHOD
6 Steven V. King 7 Executive Director and Secretary 8 WASHINGTON UTILITIES AND 9 TRANSPORTATION COMMISSION 10 PO Box 47250 11 Olympia, Washington 98504-7250 12 E: sking@utc.wa.gov	13 <i>WUTC</i>	14 US Mail & 15 electronic mail

16 *DATED* this 21st day of November, 2016.

17 by: 
18 Heather Walker, Paralegal
19 DAY LAW & ASSOCIATES, PC
20 Attorneys for Applicant

21 DAY LAW & ASSOCIATES, PC
22 15055 SW SEQUOIA PARKWAY, SUITE 170
23 PORTLAND, OREGON 97224
24 (503) 747-2705 PHONE
(503) 642-2599 FAX