

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY: Joshua Robert Dale Michel & Associates, PC 180 E. Ocean Blvd., Suite 200 Long Beach, CA 90802	STATE BAR NUMBER 209942	Reserved for Clerk's File Stamp FILED Superior Court of California County of Los Angeles 04/25/2024 David W. Slayton, Executive Officer / Clerk of Court By: <u> C. Crow </u> Deputy
TELEPHONE NO.: 562-216-4444 FAX NO. (Optional): 562-216-4445 E-MAIL ADDRESS (Optional): jdale@michellawyers.com ATTORNEY FOR (Name): Plaintiff, Michele Hanisee		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES		
COURTHOUSE ADDRESS: 111 N. Hill St., Los Angeles, CA 90012		
PLAINTIFF: Michele Hanisee		
DEFENDANT: State of California		
INFORMAL DISCOVERY CONFERENCE (pursuant to the Discovery Resolution Stipulation of the parties)		CASE NUMBER: 23STCV07718

1. This document relates to:
 - Request for Informal Discovery Conference
 - Answer to Request for Informal Discovery Conference
2. Deadline for Court to decide on Request: 05/06/2024 (insert date 10 calendar days following filing of the Request).
3. Deadline for Court to hold Informal Discovery Conference: 05/15/2024 (insert date 20 calendar days following filing of the Request).
4. **For a Request for Informal Discovery Conference, briefly describe the nature of the discovery dispute, including the facts and legal arguments at issue. For an Answer to Request for Informal Discovery Conference, briefly describe why the Court should deny the requested discovery, including the facts and legal arguments at issue.**

Issue #1 - The law firm representing Defendant here also conducted the investigation into the DOJ data leak. Defendant objected to various requests citing attorney-client privilege and work-product privilege. Plaintiff asserts these privileges do not protect documents, communications, notes, or reports made by the client nor the firm in the investigatory context. Case law provides that the privilege does not extend when the "dominant purpose" is investigative and not legal-advisement. The firm publicly published the investigation report, which is strong evidence that the dominant purpose was investigation and not legal advisement.

Issue #2 - Defendant refuses to answer basic form interrogatories including 1.1, 15.1., 16.1-16.3, and 12.1-12.3, citing privilege. This denies Plaintiff basic and critical information about Defendant's defenses and stance on causation.

Issue #3 - Plaintiff specified formatting requirements for production but Defendant produced in other formats that make discovery review unnecessarily laborious and deny Plaintiff access to important metadata.

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA
3 COUNTY OF LOS ANGELES

4 I, Christina Castron, am employed in the City of Long Beach, Los Angeles County,
5 California. I am over the age eighteen (18) years and am not a party to the within action. My
6 business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

7 On April 25, 2024, I served the foregoing document(s) described as:

8 **INFORMAL DISCOVERY CONFERENCE**

9 on the interested parties in this action by placing

- 10 the original
11 a true and correct copy
12 thereof by the following means, addressed as follows:

13 Laura Lively, Esq.
14 MORRISON FOERSTER
15 707 Wilshire Boulevard, Suite 6000
16 Los Angeles, CA 90017-3543
17 LLively@mofocom
18 *Attorneys for Defendant*

19 (BY MAIL) As follows: I am "readily familiar" with the firm's practice of collection and
20 processing correspondence for mailing. Under the practice it would be deposited with the
21 U.S. Postal Service on that same day with postage thereon fully prepaid at Long Beach,
22 California, in the ordinary course of business. I am aware that on motion of the party
23 served, service is presumed invalid if postal cancellation date is more than one day after
24 date of deposit for mailing an affidavit.

25 (VIA ELECTRONIC SERVICE) Based on a court order or an agreement of the parties to
26 accept service by electronic transmission, I caused the documents to be sent to the persons
27 at the electronic notification addresses listed above.

28 (STATE) I declare under penalty of perjury under the laws of the State of California that
the foregoing is true and correct.

(FEDERAL) I declare that I am employed in the office of the member of the bar of this
court at whose direction the service was made.

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


CHRISTINA CASTRON