

Solano, Henry L.

From: Solano, Henry L.
Sent: Wednesday, January 22, 2014 5:09 PM
To: 'J. Mark Baird'
Cc: 'peter@coloradoiplaw.com'; Paul Grant (pgrant@ggklaw.com); 'David Fein'; Patrick Frye
Subject: RE: Production of Customer Complaints

Mark

Thank you for your email. The proposed "revised" document request no. 6 is a new multipart request that is actually seven (7) new document requests. These seven new document requests have never been propounded properly under the Federal Rules of Civil Procedure and have never been served on General Steel or the General Steel Counterclaim Defendants. These requests raise the same concerns and objections as identified in responsive pleadings filed in the case and considered by Magistrate Judge Tafoya during the January 13, 2014 hearing. They are still overly broad, unduly burdensome and irrelevant. See, for example, the Affidavit of Jonah Goldman (Exh. 5 AEO to General Steel Response to Defendants Motion to Compel (CM-ECF #143-5)

HLS

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From: J. Mark Baird [<mailto:JMB@BairdQuinn.com>]
Sent: Thursday, January 16, 2014 1:50 PM
To: Solano, Henry L.
Cc: 'peter@coloradoiplaw.com'; Paul Grant (pgrant@ggklaw.com); J. Mark Baird
Subject: Production of Customer Complaints

Henry,

We wanted to make further efforts to resolve the discovery dispute arising from General Steel's objections to RFP Nos. 6 and 9. Armstrong is willing to narrow these requests to: (1) the customer files for any customers who, either directly or through an attorney, complained about any increase in total price or attempted increase in total price by General Steel after execution of the initial sales contract from January 1, 2009 to present; (2) letters, emails, agreements or notes constituting, responding to or referencing complaints from customers: (a) who complained about any increase in total price or attempted increase in total price by General Steel from January 1, 2009 to present, (b) who complained about deceptive advertising or practices by General Steel from January 1, 2009 to present; and (c) to whom a building was not delivered within ninety (90) days of the execution of the initial sales contract from January 1, 2009 to present; (3) all complaints and arbitration demands filed against General Steel by any customer from January 1, 2009 to present, and General Steel's response to such complaint; and (4) all communications to and from state law enforcement agencies regarding any customer complaints from January 1, 2009 to present.

Please let me know whether your client will produce documents in response to this narrowed request. Thank you.

Mark

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