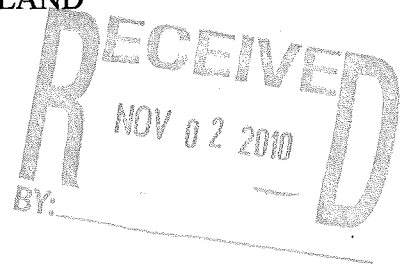


# EXHIBIT A

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND



WESTERN RESERVE LIFE ASSURANCE  
CO. OF OHIO,  
Plaintiff,

vs.

JOSEPH CARAMADRE, RAYMOUR  
RADHAKRISHNAN, ESTATE PLANNING  
RESOURCES, INC., HARRISON CONDIT,  
and FORTUNE FINANCIAL SERVICES, INC.,  
Defendants.

C.A. No.: 09-470-WS

**DEFENDANT ESTATE PLANNING RESOURCES, INC.'S**  
**FIRST SET OF INTERROGATORIES TO PLAINTIFF**  
**WESTERN RESERVE LIFE ASSURANCE CO. OF OHIO**

Pursuant to Rule 33 of the Federal Court Rules of Civil Procedure, Defendant Estate Planning Resources, Inc. (EPR), requests that Plaintiff Western Reserve Life Assurance Co. of Ohio ("Western Reserve") respond to the following interrogatories, to be answered separately and fully and under oath within thirty (30) days after service hereof.

**DEFINITIONS**

- A. The terms "Plaintiff" and "you" refer to Western Reserve, its employees, agents, representatives, and any person acting or purporting to act on its behalf or under its control.
- B. The term "EPR" as used herein shall refer to EPR as well as its employees, agents, representatives, and any person acting or purporting to act on its behalf or under its control.

C. The term “the Annuity Contract” refers to the annuity contract that is the subject matter of the above-captioned matter, a copy of which the Plaintiff attached as an exhibit to its Complaint.

D The term “the Annuitant” refers to Mr. Anthony A. Pitocco.

E The term “the Application” refers to the completed annuity application form submitted to Western Reserve in application for the Annuity Contract.

F The term “the Owner” refers to Conreal, LLC, the owner of the annuity contract that is the subject matter of the above-captioned action as identified on the application form pertaining to such annuity contract.

G Any reference to a municipal, governmental, corporate or business entity herein shall include the agents, officers, directors, trustees, and attorneys of the entity.

H “Government Agency” refers to any municipal, state or federal agency or subdivision thereof.

I “Identify” (with respect to individuals) shall mean to give, to the extent known, the individual’s full name, present or last known address and telephone number, and the present or last known place of employment.

J “Identify” (with respect to documents) shall mean to give, to the extent known, the (i) type of document; (ii) title; (iii) general subject matter; (iv) date of the document; (v) author(s), addressee(s) and recipient(s); (vi) number of pages; (vii) present location; and (viii) custodian.

K “Date” shall mean the month, day and year.

L The term “documents” includes writings, recordings, tapes and discs of any kind, electronic data including, but not limited to, e-mails, and all other matter included under that

term as defined in the Federal Court Rules of Civil Procedure and/or rulings of this Court, in the possession, custody or control of Western Reserve and the custody or control of any agent, member or any other person purporting to act for or on behalf of Western Reserve.

M. The term “person,” as used herein, shall mean and include corporations, partnerships, business trusts, associations and business entities, in addition to natural persons.

### INSTRUCTIONS

1. To the extent that you object to any of the interrogatories or requests (or definitions and instructions applicable thereto) answer as much of each such interrogatory and identify or produce responsive documents for which there is no objection, and each basis for all objections made. In the event any objection is made upon grounds of asserted privilege, identify the privileged document or information, identify the authors or recipients of the document or information, and state the privilege claimed.

2. These interrogatories and requests shall be deemed continuing so as to require you to produce and serve, in the form of supplementary answers, without further notice, any information requested herein which is unavailable to you at the time you serve your answers hereto, but which becomes available to you or to any of your attorneys, agents, or representatives up to the time of trial.

3. You are requested to furnish all responsive information within your custody, possession or control, including all information in the custody, possession or control of anyone acting in cooperation or concert with you or on your behalf, and all information available to you upon reasonable inquiry.

4. All references to the singular shall be deemed to include the plural, and all references to the plural shall be deemed to include the singular. All references to the masculine

gender shall be deemed to include the feminine and neuter genders. "And" includes "or" and "or" includes "and."

5. If any document that you would have identified in response to any interrogatory request was, but is no longer, in your possession or subject to your control, in addition to all of the information requested above of which you have knowledge, state the present location of the document.

6. Regarding any information requested that is not within your personal knowledge, but as to which you have been informed or have formed a belief, state that such information is furnished on information and/or belief, and state the source of your information and/or the grounds for your belief.

### **INTERROGATORIES**

1. Please state the name and address of each individual who assisted in preparing these answers to interrogatories and for each such individual identify which interrogatory answer(s) the individual assisted in preparing.

2. Identify and describe by custodian, location and general category any and all documents that you used in answering any interrogatories.

3. Identify any employee, officer, representative, principal, owner, independent contractor, consultant or agent of Western Reserve who has provided testimony to any Government Agency, regulatory agency or investigative body, including but not limited to grand juries, the United States Securities and Exchange Commission, the Financial Industry Regulatory Authority, the Rhode Island Department of Business Regulation, or the Massachusetts Secretary of State, regarding Joseph Caramadre, Raymour Radhakrishnan, Edward Hanrahan, Edward

Maggiacomo, Jr., Harrison Condit, EPR, the Owner, the Annuitant, the Annuity Contract, or the Application.

4. Identify any employees, officers, representatives, principals, owners, independent contractors, consultants or agents of Western Reserve or any other persons who were involved in developing and deciding on the contents of the application form, including any drafts or prior or subsequent version thereof, for the WRL Freedom Premier III variable annuity and explain what role(s) he, she, or they played in doing so.

5. Describe how, when, and why Western Reserve developed and decided on the contents of its application form for the WRL Freedom Premier III variable annuity, including how it developed and decided on the contents of any drafts or prior or subsequent versions of its application form; include a description of how and why Western Reserve determined not to inquire about the health condition of annuitants or the existence of any relationship between annuitants and contract owners on the application form.

6. Identify any employees, officers, representatives, principals, owners, independent contractors, consultants or agents of Western Reserve or any other persons who were involved in developing, deciding on, and/or implementing the marketing strategy for the WRL Freedom Premier III variable annuity and explain what role(s) he, she, or they played in doing so.

7. Describe how Western Reserve developed and marketed the WRL Freedom Premier III variable annuity product; include a description of the demographic characteristics (including age and life expectancy) of the intended and expected market for the product, how and why Western Reserve decided on these characteristics of the intended market, and how Western Reserve implemented its marketing strategy for the WRL Freedom Premier III variable annuity.

8. Describe in detail your method for calculating your alleged damages.

9. From January 27, 2009 to the present, identify each of the subaccounts available to owners of WRL Freedom Premier III variable annuities.

10. Assuming an initial, uninterrupted and un-supplemented investment of \$1,000,000, identify the daily cash value of each of the subaccounts available to owners of WRL Freedom Premier III variable annuities from January 27, 2009 to the present.

11. Identify the date on which Western Reserve terminated the Owner's ability to invest its premiums in the subaccounts associated with its WRL Freedom Premier III variable annuity.

12. Identify the subaccounts in which the Owner's total premium payments were invested as of the time when Western Reserve terminated the Owner's ability to invest its premiums in the subaccounts associated with its WRL Freedom Premier III variable annuity.

13. Identify the cash value of the Owner's total premium payments, as they were invested in the subaccounts associated with its WRL Freedom Premier III variable annuity, as of the time when Western Reserve terminated the Owner's ability to invest its premiums in the subaccounts associated with its WRL Freedom Premier III variable annuity.

14. Assuming that Western Reserve had not terminated the Owner's ability to invest its premiums in the subaccounts associated with its WRL Freedom Premier III variable annuity, identify the present cash value of the Owner's total premium payments, as if they had remained invested in the same subaccounts in which they were invested as of the time when Western Reserve terminated the Owner's ability to invest its premiums in the subaccounts associated with its WRL Freedom Premier III variable annuity.

15. Describe in detail, identifying any relevant witnesses, events or documents, the basis for your allegation that Raymour Radhakrishnan "did not explain to Pitocco, and Pitocco

had no knowledge that he would be entering into an annuity contract, how the WRL Annuity worked, or what Pitocco's involvement in the annuity would be."

16. Describe in detail, identifying any relevant witnesses, events or documents, the basis for your allegation that "[a]ll defendants . . . committed fraud in the factum by either forging Pitocco's signature . . . or by concealing the existence, nature and essential terms of the annuity from Pitocco in order to get him to sign the application under which he purportedly agreed to serve as an annuitant."

17. Identify any other witnesses or documents you intend to rely on to support, or that in any way relate to, your allegations of forgery and/or fraud in factum.

18. Describe any guidelines, policies, procedures or requirements of the Plaintiff for the method or manner of completing applications for the WRL Freedom Premier III variable annuity or respecting the identity of the persons responsible for completing the respective sections of such applications.

19. Identify each witness you expect to offer expert testimony (whether exclusively or in conjunction with factual testimony) on your behalf in this action; include, but do not limit your response to, the witness's qualifications, including his or her knowledge, skill, training, experience, education, and professional publications, a list of every case in which the witness testified as an expert at trial or by deposition within the last ten years, a statement of the compensation to be paid for the witness's opinion or testimony, a description of the subject matter in which the witness is expected to offer expert testimony, a description of the grounds for each opinion, including the data and other information considered by the witness in forming each opinion, a list of all documents reviewed or generated by such witness in connection with or in preparation for his or her testimony and all documents relied upon by the witness in connection

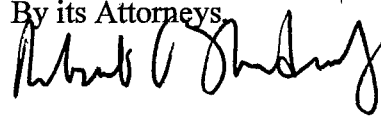


with rendering his or her opinion, and a list of all treatises, books, surveys or reports upon which each witness may or shall rely at trial.

20. Summarize the subject matter, duration, and contents of any testimony that any individual identified in response to Interrogatory Number 3 provided to any Government Agency, regulatory agency or investigative body, including but not limited to grand juries, the United States Securities and Exchange Commission, the Financial Industry Regulatory Authority, the Rhode Island Department of Business Regulation, and the Massachusetts Secretary of State, regarding Joseph Caramadre, Raymour Radhakrishnan, Edward Hanrahan, Edward Maggiacomo, Jr., Harrison Condit, EPR, the Owner, the Annuitant, the Annuity Contract, or the Application.

ESTATE PLANNING RESOURCES, INC.

By its Attorneys



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Robert G. Flanders, Jr., Esq. (#1785)  
Eric S. Giroux, Esq. (#7420)  
Matthew H. Parker, Esq. (#8111)  
Hinckley, Allen & Snyder LLP  
50 Kennedy Plaza, Suite 1500  
Providence, RI 02903  
Tel. (401) 274-2000  
Fax. (401) 277-9600  
[rflanders@haslaw.com](mailto:rflanders@haslaw.com)  
[egiroux@haslaw.com](mailto:egiroux@haslaw.com)  
[mparker@haslaw.com](mailto:mparker@haslaw.com)

DATED: November 1, 2010

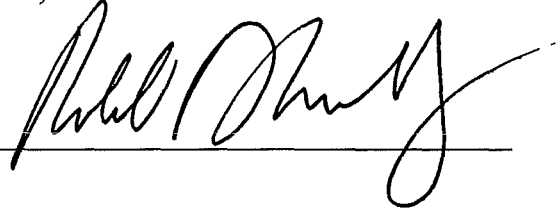
**CERTIFICATION**

TO:

Brooks R. Magratten, Esq.  
Michael J. Daly, Esq.  
David E. Barry, Esq.  
Pierce Atwood LLP  
10 Weybosset Street, Suite 400  
Providence, RI 02903

Jeffrey S. Brenner, Esq.  
Armando E. Batastini, Esq.  
Nixon Peabody LLP  
One Citizens Plaza  
Suite 500  
Providence, RI 02903

I certify that I mailed a true and accurate copy of the within Interrogatories to  
counsel of record, as set forth above, on November 1, 2010.



A handwritten signature in black ink, appearing to read "Robert J. Barry", is written over a horizontal line.