

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CAROLYN ANDERSON,	
	Plaintiff,
vs.	
DOMINO'S PIZZA, INC., DOMINO'S PIZZA, LLC, FOUR OUR FAMILIES, INC. and CALL-EM-ALL, LLC,	
	Defendants.

No. C11-902RBL

DECLARATION OF ROB
WILLIAMSON IN SUPPORT OF
PLAINTIFF'S MOTION TO BE
RELIEVED OF DEADLINE UNDER
W.D. WASH. LOCAL RULE 7(d)(2)(A)

**NOTED ON MOTION CALENDAR:
March 23, 2012**

I, Rob Williamson, declare under penalty of perjury as follows:

1. I am one of the lawyers representing Plaintiff Carolyn Anderson in this case.

2. Two of the witnesses designated by Domino's for FRCP 36(b)(6) testimony were not adequate nor had they prepared in any meaningful fashion. Neither had conferred with any other employee of Domino's, nor reviewed any documents other than what might have been on their local hard drives. Basically both testified based on what they remembered off the top of their heads. Plaintiff will bring a separate motion to compel Domino's to produce proper witnesses. The topics of the FRCP 30(b)(6) depositions that were not adequately addressed were:

- a. All communications with FOUR OUR FAMILIES, INC. regarding marketing in 2008 and 2009, including but not limited to the calls made by using the CALL-EM-ALL platform.
- b. All policies regarding marketing and the role of DOMINO'S PIZZA, INC. or DOMINO'S PIZZA, LLC regarding marketing by FOUR OUR FAMILIES in 2008 and 2009.

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UNDER W.D. WASH. LOCAL RULE 7(d)(2)(A) - 1
(No. C11-902-RBL)

**WILLIAMSON
& WILLIAMS** | 17253 AGATE STREET NE
BAINBRIDGE ISLAND, WA 98110
(206) 780-4447
(206) 780-5557 (FAX)
www.williamslaw.com

1 c. All communications or policies from or DOMINO'S PIZZA, INC. or DOMINO'S
2 PIZZA, LLC regarding marketing with voice broadcasting or pre-recorded
3 telephone calls using automated dialing and announcing devices and

4 d. The telephone opt-in program or functionality (See Deposition of Chris Roeser,
5 page 38) including but not limited to its creation the reason for its creation, its
6 implementation, how is actually functions, when it began running, its current
7 status, the names of all franchisees who used the functionality, all
8 communications with RPM or any other franchisee about the functionality, all
9 communications with RPM or any other franchisee about the decision to delete
10 the functionality from the website.

11 3. Realizing that the time to file further briefing was approaching, and without
12 responses to the written discovery and proper FRCP witnesses, Plaintiff requested that Domino's
13 agree to extend the time for further briefing until some date after this Court rules on the pending
14 motion for protective order and to designate proper FRCP 30(b)(6) witnesses. The first request
15 was made via email on February 25, 2012. A second was made via email on March 4, 2012, a
16 third via email on March 8, 2012. A telephone message was also left on March 7, 2012.
17 Domino's did not respond to any of these requests, negatively or otherwise.

18 I declare under penalty of perjury of the laws of the State of Washington and the United
19 States that the foregoing statements are true and correct.

20 DATED this 13th day of March, 2012 on Bainbridge Island, WA.

21 /s/Rob Williamson
22 Rob Williamson, WSBA #11387
23 17253 Agate Street NE
24 Bainbridge Island, WA 98110
25 Telephone: (206) 780-4447
26 Fax: (206) 780-5557
Email: roblin@williamslaw.com

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1 CERTIFICATE OF SERVICE

2 I hereby certify that on March 13, 2012, I electronically filed the foregoing document
3 with the Clerk of the Court using the CM/ECF system which will send notification of such filing
4 to all counsel of record who receive CM/ECF notification, and that the remaining parties shall be
5 served in accordance with the Federal Rules of Civil Procedure.

6 Dated this 13th day of March, 2012

7
8
9 By /s/Rob Williamson
10 Rob Williamson, WSBA #11387
11 17253 Agate Street NE
12 Bainbridge Island, WA 98110
13 Telephone: (206) 780-4447
14 Fax: (206) 780-5557
15 Email: roblin@williamslaw.com
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& WILLIAMS** | 17253 AGATE STREET NE
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