

## Answers and Objections to Plaintiff's First Interrogatories to Defendant

1. State with factual particularity the basis of your denial of each allegation in the complaint that you deny.

**B1. Plaintiff has not provided any proof that defendant owes a debt to plaintiff.**

**2. The burden of proof is on the plaintiff to prove that I owe the demands brought forth against defendant.**

2. Identify all documents that you assert constitute the contractual agreement(s) between the parties.

**Objection: The interrogatory is unduly burdensome and oppressive, calling for information that is either not now, nor has it ever been in the possession of Defendant.**

3. Identify the number of payments and the amount of every payment made toward the underlying contract by you, or made by any other party on your behalf. **Objection: The interrogatory is unduly burdensome and oppressive, calling for information that is either not now, nor has it ever been in the possession of Defendant.**

4. Identify all documents and/or correspondence either sent to, or received from, the Plaintiff, the Assignor, or any of their agents or predecessors in interest relevant to this matter. **Objection: The interrogatory is onerous, calling for information that is either not now, nor has it ever been in the possession of Defendant. Further, this information is, or should be if there is any basis to plaintiff's claims, in the possession and control of plaintiff.**

5. Identify all persons whom you contend have knowledge of the facts which evidence or tend to support the denials, assertions, and allegations as set forth in your Answer, stating for each such person his or her name, address, telephone number, and provide a brief statement of the facts as to which each such person has knowledge. **Objection, calls for legal conclusions and speculation, question is vague and confusing, unduly burdensome and oppressive, and compound, as disallowed by local rule.**

6. Identify your residential address by name, street, city, state and zip code for the previous 10(ten) years and the periods of time within which you resided at the address. **Objection: unduly burdensome and oppressive, seeks information not reasonably calculated to lead to the discovery of admissible evidence.**

## Request for Production of Documents and notice to produce to Defendant

1. Produce copies of any and all correspondence which in any way pertain to this action sent to, or received from, plaintiff. **Objection: vague, confusing, calls for speculation and assumes facts not in evidence, argumentative, burdensome and oppressive.** Without waiving such objections, Defendant states that, to the extent he understands the question, no responsive documents exist.

2. Produce copies of any and all documents signed by you and/or the Plaintiff pertaining to this action. **Objection: vague, confusing, calls for speculation and assumes facts not in evidence, argumentative,**

burdensome and oppressive. Without waiving such objections, Defendant states that, to the extent he understands the question, no responsive documents exist.

3. Produce copies of any and all documents deemed by you to constitute a contract or agreement between the parties. **To the best of my knowledge, a contract has never existed between the parties.**

4. Produce copies of any and all checks or other forms of payment used to make payments on the underlying contract either made by you or made by any other party on your behalf. **Objection: vague, confusing, calls for speculation and assumes facts not in evidence, argumentative, burdensome and oppressive. Without waiving such objections, Defendant states that, to the extent he understands the question, no responsive documents exist.**

5. Produce copies of any and all documents that would support any defense, claim, or contention asserted by you in your answer. **Objection: vague, confusing, calls for speculation and assumes facts not in evidence, argumentative, burdensome and oppressive. Without waiving such objections, Defendant states that, to the extent he understands the question, no responsive documents exist.**

#### **Request for Admission of Facts**

1. You applied for a Visa credit card with Bank of America, N.A. (“Assignor”). **Objection: vague, confusing and unlimited by time or account.**

2. You received the Visa credit card account from the Assignor. **Objection: The admission is vague and confusing failing to identify the number of the account inquired of.**

3. You proceeded to make purchases with the Visa credit card account, leaving a net unpaid balance on the account of 15,286.74. **Objection: vague, confusing, calls for speculation and assumes facts not in evidence, argumentative, burdensome and oppressive. Without waiving such objections, deny.**

4. When you signed the application for the credit card account, you agreed to make at least the minimum payment due every month on the indebtedness owing by you on the credit card account. **Objection: vague, confusing, calls for speculation and assumes facts not in evidence, argumentative, burdensome and oppressive. Without waiving such objections, Deny.**

5. You received the credit card agreement from the Assignor, understood its terms and conditions, and consented to the terms and conditions imposed thereby. **Objection: vague, confusing, calls for speculation and assumes facts not in evidence, argumentative, burdensome and oppressive. Without waiving such objections, Deny.**

6. For a period of time, you made the minimum monthly payments owing on the credit card account. **Objection: vague, confusing, calls for speculation and assumes facts not in evidence, argumentative, burdensome and oppressive. Without waiving such objections, Deny.**

7. You ceased making the minimum monthly payments on the credit card account and, as a result, materially breached the terms and conditions of the credit card agreement, pursuant to its explicit terms

and conditions. **Objection: vague, confusing, calls for speculation and assumes facts not in evidence, argumentative, burdensome and oppressive. Without waiving such objections, Deny.**

8. You have refused to pay the principal balance due Plaintiff on the credit card account. **Objection: vague, confusing, calls for speculation and assumes facts not in evidence, argumentative, burdensome and oppressive. Without waiving such objections, Deny.**

9. You owe to Plaintiff the current past due principal balance owing of 15,286.74. **Deny.**

10. You owe to Plaintiff contractual attorney's fees on the unpaid principal balance in amount of 1,590.61. **Deny. This request for admissions constitutes a violation of the FDCPA in itself.**

11. You are legally and financially responsible to the plaintiff for the indebtedness owing on the credit card account. **Objection: vague, confusing, calls for speculation and assumes facts not in evidence, argumentative, burdensome and oppressive. Without waiving such objections, Deny.**

12. You have benefited, either directly or indirectly, from the use of the credit card account. **Objection: vague, confusing, calls for speculation and assumes facts not in evidence, argumentative, burdensome and oppressive. Without waiving such objections, Deny.**

13. You have not been released from liability by the Plaintiff or Assignor for this justly owed debt. **Objection: vague, confusing, calls for speculation and assumes facts not in evidence, argumentative, burdensome and oppressive. Without waiving such objections, Deny.**

14. There is no legal or factual basis to support any defense, claim or contention asserted by you in your answer. **Deny.**

15. You have no defense to this lawsuit. **Deny.**