

New Requests for Production

DEFENDANT'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS DIRECTED TO PLAINTIFF

Comes now Defendant, by and through counsel, and requests Plaintiff to produce the following documents, and otherwise respond to these requests for production of documents, within the time provided under the State Rules:

DEFINITIONS

“Document” means, without limitation, all of the following items in Defendant’s possession, custody or control, whether printed, recorded, or reproduced by any other mechanical process or written or produced by hand: agreements, communications, correspondence, telegrams, memoranda, summaries of records of telephone conversations, summaries or records of personal conversations or interviews, video or audio tape recordings, diaries, graphs, reports, notebooks, note charts, plans, drawings, sketches, file folders, indexes, logs, summaries or records of meetings or conferences, summaries or reports of investigations and negotiations, opinions or reports of consultants, photographs, brochures, pamphlets, circulars, press releases, drafts, letters, including any marginal comments appearing on any of the documents, checks (cancelled or otherwise), minutes, and any and all other writings. The term “document” also includes all entries made into a computer (please produce a hard copy or disk containing all entries).

“You,” “your” or “yours” means plaintiff, its owners, officers, managers, employees, agents, assigns and sales representatives.

“The Original Creditor” means the original issuer of the credit that was allegedly extended to Defendant, and any employee, agent, sales representative, manager, officer, owner,

independent contractor, assign or other person working for, hired by or acting on behalf of the Original Creditor.

“The Account Balance” or “Defendant’s Account” means the debt you allege Defendant owes and upon which you have filed suit to collect.

DOCUMENTS REQUESTED

1. Any and all account cards or ledger sheets showing debits, credits, and/or a running balance, prepared in connection with Defendant’s Account.
2. Any and all written correspondence or notes of oral correspondence between you and Defendant or between you and any third party concerning Defendant’s Account, including

copies of any and all notices of default or demands for payment that you or a third party sent to Defendant.

3. Copies of all documents that you received from the Original Creditor in connection with Defendant's Account.

4. All documents showing the assignment of Defendant's Account to you or to any intermediate person or entity, beginning with the first assignment by the Original Creditor and ending with the final assignment to you.

5. Any and all documents, not covered by another section of this request, that purport to bear Defendant's signature and relate to the subject matter of the petition.

6. Any and all documents that you consulted or relied upon in the preparation of the petition or answers to interrogatories.

7. Any document the person who signed the Affidavit attached to the Petition reviewed or relied on prior to signing the Affidavit.

8. Any document upon which the person who generated any documents attached to the petition reviewed or relied on prior to filing your lawsuit.

9. Copies of your federal and state income tax returns for 200x, 200x and 200x. [For use if you have a claim for damages under the FDCPA or for punitive damages under any other law.]

10. All documents supporting any calculation of damages against Defendant, including actual damages, attorney's fees, late fees, overlimit fees, membership fees, application fees, interest calculations and court costs.

11. A copy of any written demands for payment made to Defendant.

12. A copy of any credit applications or credit investigations of Defendant concerning Defendant's Account.

13. Any document relating to the nature of your business, whether produced in connection with securities regulation, advertising or other promotion, or generated for any other purpose.

14. Any document showing or reflecting the nature of your business activities.

15. Any document showing or reflecting any purchase, sale, or any other transfer of any accounts for collection by any other party.

16. Any and all documents related to the transfer or assignment of defendant's account to you, including any and all assignment contracts, bills of sale and attachments thereto, or any other document, by any name, controlling or purporting to control the terms and conditions of the

account to you, including your access to original creditor records, or any guaranties or refusal to guarantee the truth or accuracy of any records associated with defendant's account.

17. All documents identified or consulted in response to defendant's interrogatories served herewith and not otherwise produced.

Respectfully submitted,

Joe Consumer