

8.2 Interrogatories and Document Requests

[court]IN THE CIRCUIT COURT OF COOK COUNTY
ILLINOIS MUNICIPAL DEPARTMENT, FIRST DISTRICT
[plaintiff]LINDA HUMPHRY, Plaintiffs,
[vs.]
[defendant]ROSE AMERICAS, INC., d/b/a RENT-A-CENTER, a foreign
corporation doing business in Illinois, Defendant.

PLAINTIFFS' FIRST INTERROGATORIES AND DOCUMENT REQUESTS

Plaintiff hereby propounds the following interrogatories to
defendant Rose Americas, Inc ("Rose"):

DEFINITIONS

As used herein:

1. "Rose" means defendant Rose, Americas, Inc.
2. "Identify" when used in reference to another person or entity means to state the full name, present or last known address, social security number, job title and description; when used in reference to a document it means to state its date, its author, the title of document (e.g., letter, memorandum, telegram, chart, photograph, sound reproduction, etc.), or, if the above information is not available, some other means of identifying it, and its present location and the name and job title of each of its present custodians. If any such document was but is no longer in your possession or subject to your control, or in existence, state whether it is (a) missing or lost, (b) has been destroyed, (c) has been transferred, voluntarily or involuntarily to others, and if so, to whom, (d) otherwise disposed of, and in each instance, explaining circumstances surrounding and authorization for such disposition thereof and state the date or approximate date thereof.
3. "Asset" means any item of personal property, any real property, any intangible, chose in action, money, stock equities, beneficial interest in any property, any interest in a business, or other interest of value.
4. "Plaintiff" means all plaintiffs listed in the current Complaint, or, in the case of a class action, all potential members of the class.

INTERROGATORIES

1. List each of Rose's assets with its corresponding value at the end of each of the years 1993 and 1992.
2. List each of Rose's liabilities by description and amount on December 31, 1993 and December 31, 1992.

3. State Rose's net worth on December 31, 1993 and December 31, 1992 and detail how this net worth figure was arrived at.
4. Has a financial audit ever been prepared on Rose in the last 2 years? If so, state when each such audit was prepared, identify the person or firm preparing such audit or audits, and state the date each was prepared.
5. Identify all documents other than income tax returns or audit reports which contain a listing of the assets and liabilities of Rose during the years 1992 to the present.
6. Please identify each person whom defendants expect to call as an expert witness at the trial of this action, state the subject matter on which such expert is expected to testify, and state the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.
7. Identify all Rose employees working in the office at [Address] in 1993.
8. Identify every individual who has direct knowledge regarding the allegations raised by plaintiff in her complaint.
9. Identify any complaints filed against Rose in Illinois from 1990 to the present regarding matters similar to those complained of in the plaintiff's complaint. Identify the complainant and the nature of the complaint and the manner of the complaint (i.e. lawsuit, etc).
10. For agreement #1 specified in the Complaint, state the total of all amounts of monies for any and all matters, and itemize those figures specifying what each is for (e.g. \$45.87 tax etc.), assuming the contract went to full maturity.
11. For agreement #2 specified in the Complaint, state the total of all amounts of monies for any and all matters, and itemize those figures specifying what each is for (e.g. \$45.87 tax, \$321.09 insurance, etc.), assuming the contract went to full maturity. These interrogatories shall be answered *and signed by the defendant* within 28 days.
12. Identify the Rose employee in the Chicago area who is most familiar with the form agreements (such as agreements nos. 1 and 2 used with plaintiff) utilized by Rose in their operations.
13. Identify each Rose employee who answered these interrogatories and specify which interrogatory each employee answered.

DOCUMENT REQUESTS

Pursuant to Rule 214 of the Illinois Supreme Court, Plaintiff hereby requests that defendant produce the following documents in its possession or control for inspection and/or copying by plaintiff's attorney. Documents are to be produced within twenty-eight (28) days of service at [the office of plaintiff's attorney], located at [Address]. In the alternative,

defendant may send photostatic copies of the documents to plaintiff's counsel by the above date.

1. Any and all contracts and any other agreements executed by plaintiff in connection with any rental-purchase agreement with defendant or any matter arising out of these transactions.

2. Any documents relating to plaintiff's rental-purchase transactions, its collection, or any matters related thereto.

3. Any document identified or referred to in the above interrogatories.

4. Any other documents that relate to this cause or which defendant intends to introduce into evidence at trial.

5. Rose's Federal income tax returns for 1993 and 1992, including all attachments.

6. Financial statement showing Rose's assets and liabilities for 1993 and 1992.

7. Any audits conducted on Rose in 1992 or 1993.

8. All loan applications submitted by Rose in 1992 and 1993 to any lender.

9. All internal memoranda of any Rose employees discussing this lawsuit or the matters raised therein.

[Attorney for Plaintiff]

8.3 Notice of Deposition

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NOTICE OF DEPOSITION

To: [Defendant's attorney]

Please take notice that on the [date and time] at the office of the [*attorney for plaintiff*] located at [*address*], the undersigned attorney or his co-counsel will take the discovery deposition by oral examination of Kevin McHale, to continue from day to day until completed. The deponent is instructed to bring at that time the following documents:

1. All documents pertaining to any rental purchase agreement between the parties to this action, including collection-related documents such as the collection ledger and correspondence to the plaintiff.
2. Any practice manuals, training materials, policy statements or other documents describing the business practices of the defendant.
3. Documents which reflect the price which defendant paid for each item rented to plaintiff, including those documents showing the value assigned to each item by corporate headquarters for P/L purposes and the documents showing the actual amounts paid for each item by the defendant.

[*Attorney for Plaintiff*]