# IN THE UNITED STATES DISTRICT COURT

# DISTRICT OF OREGON

# EUGENE DIVISION

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| **ROBERT MYERS,**  **Plaintiff,**  **v.**  **EUNICE RIVERA,**  **Defendant.** | **CIVIL ACTION FILE NO.**  Click or tap here to enter text.**-cv-1306** |

**DEFENDANT’S OBJECTIONS AND RESPONSES TO PLAINTIFF’S FIRST INTERROGATORIES TO DEFENDANT**

COMES NOW Eunice Rivera and responds to Defendant’s First Interrogatories to Plaintiff as follows:

# OBJECTION TO PREFATORY NOTE

To the extent that the prefatory note to Plaintiff’s First Interrogatories to Defendant purports to expand or broaden the scope of discovery permissible by requests, Plaintiff objects to same on the basis that the duty to supplement responses is expressly delineated by Federal Rule of Civil Procedure 26, and any attempt to expand or broaden that statutory duty by Defendant is void and of no force or effect.

Furthermore, Defendant objects to every interrogatory to the extent they request information protected by the attorney/client privilege and reflecting mental impressions, conclusions, opinions, legal theories, information collected in anticipation of litigation, and other work product. Furthermore, Federal Rule of Civil Procedure 26(b)(3) requires that, prior to obtaining such documents, the requesting party show “substantial need of the materials in the preparation of the party’s case….” This provision specifically includes consultants and agents

as well as attorneys representing the party. This anticipatory language was included to afford protection of documents gathered by nonparty representatives or the parties to the action.

Subject to the foregoing general objections which are specifically incorporated as if set forth fully verbatim in each of the following responses, Defendant responds to Plaintiff’s First Interrogatories to Defendant as follows:

# INTERROGATORY NO. 1

Identify every person who has prepared, aided in the preparation of, or furnished any information which is included in your answers to these interrogatories.

**RESPONSE: Defendant objects to Interrogatory No. 1 on the basis that it seeks information protected by the attorney-client privilege and/or the attorney work product doctrine.**

# INTERROGATORY NO. 2

State your full name, address, county of residence, age, date of birth, social security number, and for the past 10 years, the name and address of your employer, job title, job description, and name of your immediate supervisor.

**RESPONSE: Defendant objects to Interrogatory No. 2 on the basis that it is unduly burdensome, harassing, and oppressive. Subject to and without waiving the same, Eunice Rivera, Lane County, July 31, 1963. Defendant objects to providing her social security number in a document that could become part of the public record. Defendant objects to providing employment information.**

# INTERROGATORY NO. 3

If an investigation was conducted concerning the occurrence described in Plaintiff’s Complaint, please (a) identify each person conducting such investigation, by whom it was

requested, the date and location the investigation was conducted; and (b) identify each document resulting from such investigation and the name and address of the person presently having custody of such document.

**RESPONSE: Defendant objects to Interrogatory No. 3 on the basis that it seeks information protected by the attorney-client privilege and/or the attorney work product doctrine. Subject to and without waiving the same, Defendant is not aware of any such investigation.**

# INTERROGATORY NO. 4

State the name, address, and telephone number of any person known by you, your insurance companies, employees, or attorneys to have knowledge or information relative to the events referred to in Plaintiff’s Complaint, and state the knowledge or information you believe each such person to have, and indicate whether such person(s) was an eyewitness to the occurrence described in Plaintiff’s Complaint.

**RESPONSE: Defendant objects to Interrogatory No. 4 on the basis that it seeks information protected by the attorney-client privilege and/or the attorney work product doctrine. Subject to and without waiving the same, Defendant identifies:**

**Plaintiff**

**Defendant**

**Lane County Animal Control Officer John Rose**

# INTERROGATORY NO. 5

State whether you, your attorney, your insurance carrier, or anyone acting on your behalf, or any other person, obtained a statement from any persons, including Plaintiff, preceding the filing of this action, regarding any of the facts and circumstances surrounding the occurrence referred to in Plaintiff’s Complaint. If so, please state (a) the date such statement was taken, by whom and from whom, and whether the statement was written, recorded, or otherwise; and (b) the name and address of the person who presently has custody of each such statement.

**RESPONSE: Defendant objects to Interrogatory No. 5 on the basis that it seeks information protected by the attorney-client privilege and/or the attorney work product doctrine.**

# INTERROGATORY NO. 6

State whether you, your attorney, your insurance carrier, anyone acting on your behalf, or any other person, took photographs the scene of the occurrence referred to in Plaintiff’s Complaint or the injuries to any person involved in the occurrence. If so, please state (a) the name and address of the persons taking such photographs and the date each photograph was taken; (b) the name and address of the person who presently has custody of such photographs or the negatives; and (c) the subject of each photograph taken.

**RESPONSE: Defendant objects to Interrogatory No. 6 on the basis that it seeks information protected by the attorney-client privilege and/or the attorney work product doctrine.**

# INTERROGATORY NO. 7

State how the occurrence referred to in Plaintiff’s Complaint occurred to the best of your knowledge and belief and identify the source(s) of your knowledge or belief.

**RESPONSE: Defendant objects to Interrogatory No. 7 on the basis that it is an improper contention interrogatory that seeks to limit Defendant to a premature statement of the facts.**

# INTERROGATORY NO. 8

State each and every occasion during which any animal owned or controlled by you bit or attacked another animal or human. For each such occasion, state the date an approximate time of the incident; the location of the incident; the type animal(s) involved; the type and extent of any injury or injuries suffered; and a basic description of how the event transpired.

**RESPONSE: None.**

# INTERROGATORY NO. 9

State whether you have ever registered any animal with any type of government agency, including any city, county, or state animal control board, department of agriculture, or any other division or agency. For any such registration, state the date, agency, type of animal, and reason for registration.

**RESPONSE: None.**

# INTERROGATORY NO. 10

State whether any government agency or representative has ever registered, classified, investigated, or otherwise taken any official or unofficial act with regard to any animal owned or controlled by you. For each such registration, classification, investigation, or act, state the date, agency or representative, type of animal(s), type of act(s), and reason for the act(s).

**RESPONSE: None.**

# INTERROGATORY NO. 11

For each insurance company which insured you, the Dog, and/or the Property at the time of the occurrence, for liability claims, please state (a) the name of the company and the policy number; (b) the dollar amount of the limits of said policy’s liability coverage; (c) the names of the insurers on said policy; and (d) whether said insurance company has notified you or any other person that it is in any way reserving its rights to deny coverage or provide legal representation under any type of reservation of rights.

**RESPONSE: See Defendant’s homeowner’s insurance policy declaration page, produced herewith.**

# INTERROGATORY NO. 12

On the date of the occurrence referred to in Plaintiff’s Complaint, please state whether you were potentially covered by any other insurance coverage such as an excess, catastrophe, or umbrella policy or policies in addition to the coverage described in your reply to Interrogatory Number 11. If so, give the name of the company, the policy number, the dollar amount of the limits of coverage, and the names of the named insureds on said policies.

**RESPONSE: None.**

# INTERROGATORY NO. 13

For each individual you expect to call as an expert witness at trial, please provide the terms of the expert’s compensation for his or her involvement in this case, and for each lawsuit within the last five (5) years in which the expert has provided testimony (whether by affidavit, deposition, or at trial), please provide a full description of the lawsuit, including the court and docket number, general subject matter, and outcome.

**RESPONSE: Defendant objects to Interrogatory No. 13 as discovery has just begun. Defendant will provide expert disclosures in accordance with the Federal Rules of Civil Procedure and any scheduling order entered in this case.**

# INTERROGATORY NO. 14

Please state the name, address, and telephone number of any person, other than your personal attorney, with whom you have in any way discussed the circumstances surrounding and leading up to the allegations contained within Plaintiff’s Complaint, and state whether you provided said person(s) with any kind of statement, whether written, recorded, videotaped, or not.

**RESPONSE: Defendant objects to Interrogatory No. 14 on the basis that it seeks information protected by the attorney-client privilege and/or the attorney work product doctrine.**

# INTERROGATORY NO. 15

As to the Dog referenced in Plaintiff’s Complaint, please state the following:

1. The name of the Dog;
2. The breed of the Dog;
3. The full legal name and address of the owner of the Dog on Click or tap to enter a date. and on the date of your response to this Interrogatory;
4. The weight of the Dog on Click or tap to enter a date.;
5. When and from whom the Dog was purchased or obtained;
6. How long the Dog lived at the Property as of Click or tap to enter a date.;
7. The name, address and telephone number of every veterinary facility who has ever seen, treated, or consulted with you about the Dog;
8. The name, address and telephone number of every grooming facility, kennel facility, boarding facility, or training facility who has ever groomed, seen, cared for, trained, or consulted with you about the Dog;
9. In whose care, direction, or control was the Dog at the time of the incident described in Plaintiff’s Complaint; and
10. The name, address and telephone number of any person or entity who has been hired to care for, train, or consult about the Dog, whether in your home or elsewhere. **RESPONSE:**
11. **Moira**
12. **German Shepherd**
13. **Eunice Rivera, 3050 North Delta Highway, Eugene, Oregon, 97408**
14. **Forty-five pounds**
15. **Defendant purchased Moira from a breeder in Eastern Oregon sometime in or around** Click or tap to enter a date.
16. **Approximately** Click or tap here to enter text.
17. **Defendant objects to subpart (g) on the basis that it is unduly burdensome, harassing, and oppressive.**
18. **Defendant objects to subpart (h) on the basis that it is unduly burdensome, harassing, and oppressive.**
19. **Defendant’s.**
20. **Defendant objects to a full catalog of every person ever hired to care for Moira as it would be unduly burdensome, harassing, and oppressive. Subject to and without waiving same, Defendant has boarded Moira at Bark Place on Laurel Road in Springfield on two or three occasions.**

Submitted this Click or tap here to enter text. day of Choose an item., 20Click or tap here to enter text..

*/s/ Defense Attorney*

Defense Attorney

Oregon Bar No. 999888

*Attorney for Defendant*

Defense Firm

*defenseattorney@email.com*

1058 Oregon Ave

Coburg, Oregon 31204

# CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **DEFENDANT’S OBJECTIONS AND RESPONSES TO PLAINTIFF’S FIRST INTERROGATORIES TO DEFENDANT** will be served upon the following parties via U.S. Mail, with sufficient postage affixed thereto:

Click or tap here to enter text.

1515 Agate Street

Eugene, Oregon

Attorneys for Plaintiff

This Click or tap here to enter text. day of Choose an item. , 2025.

*/s/ Defense Attorney*

Defense Attorney

Oregon Bar No. 999888

*Attorney for Defendant*

Defense Firm

*defenseattoryney@email.com*

1058 Oregon Ave

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