

11/29/12

LEGAL BYTE

Greetings to my valued connections!

Sorry for the lapse in my Legal Bytes. I had back to back trials and both are now concluded so I can get back to business. I won the first trial and the second one settled (literally) on the court house steps on our way into the court to begin trial.

Another byte of law for your interest: Objecting to your own discovery responses?

Case: Greenspan v. LADT, LLC (2010) 191 CA4th 486.

Here's a good one: a defendant in this case tried to keep his own interrogatory responses out of evidence by objecting to them and claiming that his own responses were vague and ambiguous. Nice try. The court said "no" and probably had to hold back the laughter.

The court's ruling states:

"On a related point, a party cannot exclude his own interrogatory responses by claiming they are vague and ambiguous. That may be an appropriate objection to an interrogatory (citation), but the responding party cannot exclude his interrogatory *response* by asserting, in essence, it is inadequate. If that objection had any merit, it would encourage parties to submit evasive responses which, in turn, would lead to more discovery motions."

Fun stuff!

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Appeals; civil trials; family law; assist with trial preparation: 2nd chair, motions, research, witnesses, all aspects of trials; local counsel (California); referral fees paid.

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