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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO**

WENDY EDWARDS, KYLE EDWARDS,)
AMY BEKOWICH, DAVID MAIZENBERG,)
BREE BECKER, LINDA WALKER, REGINA)
MACIAS, BARBARA RATSTATTER,)
NANCY CHAN, WILLIAM SEAWARD,)
NORA TUNG, and CATALIN VASII,)
individually, on behalf of all others similarly)
situated and in the Interest of the General Public)
of the Sate of California,)

Plaintiffs,

v.

GOLDEN GATEWAY CENTER, LP, a)
California limited partnership, GOLDEN)
GATEWAY CENTER, INC., a California)
corporation, GOLDEN GATEWAY)
APARTMENT TOWERS and)
TOWNHOUSES, INC., a California)
corporation, ALPHA RESTORATION and)
WATERPROOFING, INC., a California)
corporation and DOES 1-500 inclusive,)

Defendants.

Case No. CGC-06-454919

CLASS ACTION

**JOINT SPECIAL INTERROGATORIES
TO NON-REPRESENTATIVE CLASS
MEMBERS**

1 **I. INTRODUCTION**

2 You are receiving these interrogatories because you are a member of a class action currently
3 under way in San Francisco Superior Court and the information requested is necessary for the
4 preparation of the case for trial, issues regarding pre-trial procedures and the assessment and
5 evaluation of the action. Please complete the interrogatories to the fullest extent possible and sign
6 and date the interrogatories and enclose any documents you believe are responsive or relevant.
7 Your responses and any documents must be returned to counsel for the class, Drexel A. Bradshaw,
8 Esq., at Bradshaw & Associates, P.C., 44 Montgomery Street, 38th Floor, San Francisco, California,
9 94104, in the enclosed, self-addressed stamped envelope on or before December 16, 2009. You
10 may contact Mr. Bradshaw at (415) 433-4800 should you have any questions.

11 **INTERROGATORY NO. 1:**

12 My Name is _____.

13 I live or lived in Apartment _____ at 550 Battery Street in San Francisco.

14 **INTERROGATORY NO. 2:**

15 I live or have lived in the above-referenced apartment between the dates of

16 _____ and _____.

17 **INTERROGATORY NO. 3:**

18 Answer only if applicable. On April 1, 2006 I paid \$ _____ per month in
19 rent. (Exclusive of any payment for parking.)

20 **INTERROGATORY NO. 4:**

21 Answer only if applicable. On October 4, 2007 I paid \$ _____ per month in
22 rent. (Exclusive of any payment for parking.)

23 **INTERROGATORY NO. 5:**

24 During the timeframe of April 1, 2006 to October 4, 2007, while residing at 550 Battery
25 Street, were you generally at home between the hours of 8:00 a.m., and 4:00 p.m., on Monday
26 through Friday?

27 Yes__ No __ I don't recall __.

1 If yes, how often were you generally at home between 8:00 a.m., and 4:00 p.m., on Monday
2 to Friday.

3 Daily _____

4 Only these days: _____

5 During these months: _____

6 I don't recall _____

7 If yes, how long were you at home?

8 All day _____

9 These hours: _____

10 Other: _____

11 **INTERROGATORY NO. 6:**

12 During the timeframe of April 1, 2006 to October 4, 2007, as a result of the exterior
13 concrete repair work at 550 Battery Street:

14 Did dust enter your apartment that you attribute to the construction?

15 Yes__ No __ I don't recall __.

16 If yes, how many times? _____.

17 If yes, did the dust substantially interfere with your use and/or enjoyment of the apartment?

18 Yes__ No __ I don't recall __.

19 If yes, how would you describe the severity of the dust entering your home that you attribute
20 to the construction.

21 Minimal: _____

22 Moderate: _____

23 Severe: _____

24 If yes, please describe:

25 _____

26 _____

27 _____

28

1 If yes, did you complain to the building management?

2 Yes__ No __ I don't recall __.

3 If yes, who cleaned up the dust on each occasion?

4 _____
5 _____

6 If dust entered your apartment that you attribute to the construction, did the dust damage any
7 of your personal property?

8 Yes__ No __ I don't know __.

9 If yes, list each item you claim was damaged, including the cost of each item when
10 originally purchased and the cost to repair or replace each item damaged.

11 _____
12 _____

13 Do you have any document establishing the cost of each item and/or the cost to repair or
14 replace the item?

15 Yes__ No __ I don't know __.

16 **INTERROGATORY NO. 7:**

17 During the timeframe of April 1, 2006 to October 4, 2007, when you were residing at 550
18 Battery Street, as a result of the exterior concrete repair work:

19 Did construction noise substantially interfere with or prevent your using the apartment?

20 Yes__ No __ I don't recall __.

21 If yes, how many times? _____.

22 If yes, how would you describe the level of interference due to noise?

23 Minimal: _____

24 Moderate: _____

25 Severe: _____

26 If yes, please describe:

27 _____
28 _____

1 **INTERROGATORY NO. 8:**

2 During the timeframe of April 1, 2006 to October 4, 2007, as a result of the exterior
3 concrete repair work at 550 Battery Street did high temperatures inside your apartment substantially
4 interfere with the use and/or enjoyment of your apartment?

5 Yes__ No __ I don't recall __.

6 If yes, how many times?

7 _____
8 _____

9 If yes, how would you describe the level of interference due to high temperature.

10 Minimal: _____

11 Moderate: _____

12 Severe: _____

13 Please describe:

14 _____
15 _____

16 **INTERROGATORY NO. 9:**

17 During the timeframe of April 1, 2006 to October 4, 2007, as a result of the exterior
18 concrete repair work at 550 Battery Street did you suffer discomfort from anything other than dust,
19 noise and heat?

20 Yes__ No __ I don't recall __.

21 If yes, how many times?

22 _____
23 _____

24 If yes, how would you describe your discomfort?

25 Minimal: _____

26 Moderate: _____

27 Severe: _____

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Please describe:

INTERROGATORY NO. 10:

During April 1, 2006 to October 4, 2007, did construction workers enter your apartment (this means the interior of your unit and does not include the balcony) without invitation or your approval? (This does not include building management, security, or janitorial personnel).

Yes__ No __ I don't recall __.

If yes, how many times? _____

If yes, do you claim that they substantially interfered with your use and enjoyment of your apartment?

Yes__ No __ I don't recall __.

If yes, describe in detail how they interfered.

INTERROGATORY NO. 11:

During the timeframe April 1, 2006 to October 4, 2007, did Golden Gateway Center's management, security, or janitorial personnel, enter your apartment (this means the interior of your unit and does not include the balcony) without invitation or your approval.

Yes__ No __ I don't recall __.

If yes, how many times? _____

If yes, do you claim that they substantially interfered with your use and enjoyment of your apartment?

Yes__ No __ I don't recall __.

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If yes, describe in detail how they interfered.

INTERROGATORY NO. 12:

Excluding the balcony, were you prevented from using any part of your apartment as a result of the exterior concrete repair work to 550 Battery in 2006 and 2007?

Yes ___ No ___ I don't recall ___.

If yes, please describe:

INTERROGATORY NO. 13:

Did you move out of 550 Battery before October 5, 2007?

Yes ___ No ___.

If yes, please describe all reasons why you moved out of your apartment.

INTERROGATORY NO. 14:

During April 2006 through October 2007 did exterior concrete repair work at 550 Battery Street substantially interfere with your use of your balcony?

Yes ___ No ___.

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If yes, please describe:

INTERROGATORY NO. 15:

As a result of the exterior concrete repair at 550 Battery Street, have you suffered physical injuries?

Yes ___ No ___.

If yes, please describe your injury or injuries, including and when they first occurred, how long they lasted, and the problem or symptoms.

For each injury describe whether it is still ongoing or, if not, when it resolved.

For each injury identified, describe whether you have sought medical treatment.

Yes ___ No ___.

If yes, please describe the medical treatment received.

1 If yes, identify all medical providers from whom you received treatment for the injuries you
2 describe, and when you received treatment from them.

3 _____
4 _____
5 _____
6 _____
7 _____
8 _____

9 If yes, state how much you have paid for the medical care for the injuries you describe.

10 _____
11 _____
12 _____
13 _____

14 If yes, are you still under medical care for any injury you have described?
15 Yes ___ No ___.

16 **INTERROGATORY NO. 16:**

17 Do you claim you have suffered severe emotional distress primarily as a result of the
18 exterior concrete repair project at 550 Battery?

19 Yes ___ No ___.

20 If yes, describe in detail the severe emotional distress you have suffered, including any
21 physical symptoms, if applicable.

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If yes, why do you attribute this to the concrete repair project?

Have you sought any treatment of any sort for your emotional distress?

Yes__ No __ I don't know __.

If yes, please describe the treatment.

Do you have any documents that show you sought treatment for your emotional distress?

Yes__ No __ I don't know __.

INTERROGATORY NO. 17:

Answer only if you answered yes to Interrogatory No. 16.

Do you believe that your severe emotional distress was caused by conduct of either the repair contractor or building personnel?

Yes__ No __ I don't know __.

If you answered yes, describe in detail who you believe acted in such a manner.

If yes, describe what they did to cause you to suffer severe emotional distress.

If yes, what should have been done to prevent your distress.

1 **INTERROGATORY NO. 18:**

2 Did you personally sign the lease for your apartment at 550 Battery Street?

3 Yes ___ No ___.

4 **INTERROGATORY NO. 19:**

5 Did you receive and read either of the two Notices attached hereto?

6 Yes___ No ___ I don't recall ___.

7 If your answer is yes, please answer the following questions.

8 Did you consider either of the two Notices important to your becoming or remaining a
9 tenant at Golden Gateway Center?

10 Yes ___ No ___.

11 If your answer is yes, describe what you considered important.

12 _____
13 _____
14 _____

15 Do you believe the Notice gave you false or misleading information?

16 Yes___ No ___ I don't know ___.

17 If your answer is yes, describe what you consider false or misleading.

18 _____
19 _____
20 _____

21 Describe how, if at all, the Notices affected your decision to become or remain a tenant at
22 550 Battery Street.

23 _____
24 _____
25 _____

26 **INTERROGATORY NO. 20:**

27 Have you ever communicated with anyone employed by the contractor or Golden Gateway
28 Center about the conditions during the construction at 550 Battery Street?

1 Yes__ No __ I don't recall __.

2 If yes, who did you talk with; on what date or dates; and what was said?

3 _____
4 _____
5 _____
6 _____
7 _____
8 _____

9 **INTERROGATORY NO. 21:**

10 Have you communicated with or received information from any city, state, federal or local
11 agencies regarding the exterior concrete repair work at 550 Battery Street?

12 Yes__ No __ I don't recall __.

13 If yes, who did you talk to at an agency? What agency did they work for? What was said?

14 _____
15 _____
16 _____
17 _____

18 **INTERROGATORY NO. 22:**

19 Do you have photos, films, video, diagrams, reproductions, models, tape recordings,
20 writings or documentation regarding the repair project?

21 Yes __ No __.

22 I declare under penalty of perjury under the laws of the State of California that the foregoing
23 is true.

24 _____
25 _____
26 Date: _____ Signature _____
27 _____
28 _____