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7 Attorneys for Graham and Clark defendants

8 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
9 IN AND FOR THE COUNTY OF MARICOPA

10 Desert Mountain Club, Inc.,  
11 Plaintiff,

12 vs.

13 Eric Graham and Rhona Graham, husband  
14 and wife, et al.  
15 Defendants.

) No. CV2014-015333  
) No. CV2014-015334  
) No. CV2014-015335

) **Notice of Errata Regarding Exhibit B to**  
) **Defendants' Motion to Compel**  
) **Responses to the Clarks' Non-Uniform**  
) **Interrogatories**

) (Assigned to the Honorable David Gass)

16 Defendants hereby file this notice of errata regarding their motion to compel responses to the  
17 Clarks' non-uniform interrogatories filed on January 26, 2016. Due to a copying oversight, the first  
18 page of exhibit B attached to that motion was not included with the filed document. Accordingly,  
19 attached as exhibit A hereto is a complete copy of the Rule 3.2(h) statement that should have been  
20 attached to defendants' motion to compel.

21 Respectfully submitted this 17<sup>th</sup> day of February 2016.

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23  
24 /s/ Michael C. Blair  
25 Michael C. Blair  
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28 Phoenix, Arizona 85016  
Attorneys for Graham and Clark defendants

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1 Original eFiled with the Clerk's ECF  
2 filing system this 17<sup>th</sup> day of February 2016

3 Copy mailed this same day to:

4 The Honorable David Gass  
5 Maricopa County Superior Court  
6 101 W. Jefferson (ECB #514)  
7 Phoenix, AZ 85003-2243

8 Copies emailed/mailed this same day to:

9 Christopher L. Callahan  
10 Theresa Dwyer-Federhar  
11 Jennifer L. Blasko  
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*/s/ Marcy McAlister*

# Exhibit A

1 BAIRD, WILLIAMS & GREER, L.L.P.  
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12 and wife, et al.  
13 Defendants.

) No. CV2014-015333  
) No. CV2014-015334  
) No. CV2014-015335  
) (Consolidated)

) **Defendants' Statement Required by**  
) **Local Rule 3.2(h) of the Maricopa**  
) **County Superior Court Rules**

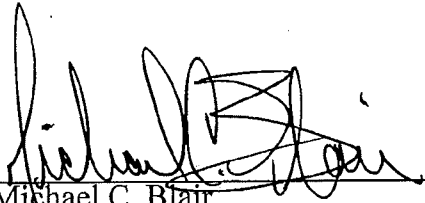
) (Assigned to the Honorable David Gass)

14  
15 Defendants hereby submit their statement required by Rule 3.2(h) of the Local Rules of the  
16 Maricopa County Superior Court setting forth the discovery requested, the answer received, and the  
17 reason why the answers are deficient.

18 Attached hereto as exhibit 1 is a copy of plaintiff's responses to defendants' non-uniform  
19 interrogatories. These responses contain defendants' interrogatories and plaintiffs' objections and  
20 responses. Prior to the January 14, 2016, meet and confer between counsel, undersigned counsel sent  
21 a letter to plaintiff's counsel detailing why plaintiff's responses were deficient. Exhibit 2 hereto.

22 The responses are deficient because, with the exception of a partial response to interrogatory  
23 2, they provide no responsive information at all. In fact, plaintiff unequivocally states it will not  
24 produce information in response to interrogatories 1, 4, and 7, unless the court enters an order  
25 compelling it to do so. The information sought is highly relevant for defendants to prepare their  
26 defense; namely, but not exclusively, to determine whether all departing members of the club were  
27 treated equally. Additional reasons why the responses are deficient are set forth in defendants'  
28 motion to compel.

1 Dated this 26<sup>th</sup> day of January 2016.

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