

**BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI**

Director of the Manufactured Housing)
And Modular Units Program of the Missouri)
Public Service Commission,)
)
Complainant)
)
v.)
)
Brookside Homes)
)
Respondent)

Cause No. MC-2009-0020

**DIRECTOR'S OBJECTIONS TO
DEFENDANT BROOKSIDE HOMES'
FIRST SET OF INTERROGATORIES DIRECTED TO PLAINTIFFS**

COMES NOW the Director, by counsel, and for his objections to the First Interrogatories promulgated by Respondent Brookside Homes, states as follows:

9. Please state the number of inspections conducted on the homes sold by Brookside Homes since January 1, 2004. For your response, please quantify your answer as follows:

- (a) the total number of inspections;
- (b) the total number of complaints;
- (c) the total number of inspections performed without a complaint by the homeowner;
- (d) the total number of inspections performed after April 15, 2007;
- (e) the total number of complaints registered after January 1, 2007.

ANSWER:

Objection. This interrogatory is overly broad, unduly burdensome in scope and expense, is not reasonably calculated to lead to the discovery of admissible information, is not relevant to the subject matter of the Director's complaint, requires the Director to create documents, charts and

lists that are not maintained by the Director, and seeks information within the possession and control of Respondent Brookside Homes, Inc.

10. For each such complaint identified in the previous interrogatory, please identify the following:

- (a) the person, persons, company, corporation, or other entity making said complaint;
- (b) the nature of the complaint;
- (c) whether the complaint was made in writing, recorded in any form, or otherwise evidenced by a document;
- (d) whether said complaint was made in person, via telephone call, electronic mail, or via some other medium;
- (e) if in person, where was the specific location the complaint was made;
- (f) if the complaint was recorded in a document or otherwise memorialized, please include a copy of said document with your answers hereto.

ANSWER:

Objection. This interrogatory seeks information protected by section 386.480, is overly broad, unduly burdensome in scope and expense, is not reasonably calculated to lead to the discovery of admissible information, is not relevant to the subject matter of the Director's complaint, and requires the Director to create documents, charts and lists that are not maintained by the Director.

11. Please identify any and all persons performing inspections identified in the previous interrogatories. For each such person, please state the following:

- (a) the name of the person(s) who performed each inspection;
- (b) the person(s) job title at the time of each inspection;

(c) the specific training each such person received specifically related to performing said inspections.

ANSWER:

Objection. This interrogatory is overly broad, unduly burdensome in scope and expense, is not reasonably calculated to lead to the discovery of admissible information, is not relevant to the subject matter of the Director's complaint, and requires the Director to create documents, charts and lists that are not maintained by the Director.

Without waiving said objection, David Freeman of the PSC conducted the inspections that are the subject of this complaint.

12. Please identify the total number of housing units sold, according to the records kept by the Manufactured Housing Unit, by Defendant Brookside Homes, since January 1, 2004.

ANSWER:

Objection. This interrogatory is overly broad, unduly burdensome in scope and expense, is not reasonably calculated to lead to the discovery of admissible information, is not relevant to the subject matter of the Director's complaint, requires the Director to create documents, charts and lists that are not maintained by the Director, and seeks information within the possession and control of Respondent Brookside Homes, Inc.

The Director sought similar information from the Respondent in Case No. MC-2009-0127 to which Respondent Brookside and its owner, Steven Warren, asserted a Fifth Amendment privilege not to respond.

13. Please identify the total number of housing units sold, according to the records kept by the Manufactured Housing Unit, by all registered sellers or brokers falling under the

jurisdiction of the Manufactured Housing Unit throughout the state of Missouri since January 1, 2004.

ANSWER:

Objection. This interrogatory seeks information protected by section 386.480, is overly broad, unduly burdensome in scope and expense, is not reasonably calculated to lead to the discovery of admissible information, is not relevant to the subject matter of the Director's complaint, and requires the Director to create documents, charts and lists that are not maintained by the Director.

14. Please identify the total number of inspections performed by the Manufactured Housing Unit on all housing units throughout the State of Missouri sold since January 1, 2004.

For your response, please quantify your answer as follows:

- (a) the total number of inspections;
- (b) the total number of complaints;
- (c) the total number of inspections performed without a complaint by the homeowner;

ANSWER:

Objection. This interrogatory seeks information protected by section 386.480, is overly broad, unduly burdensome in scope and expense, is not reasonably calculated to lead to the discovery of admissible information, is not relevant to the subject matter of the Director's complaint, and requires the Director to create documents, charts and lists that are not maintained by the Director.

Respectfully submitted,

/s/ Steven C. Reed

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 15th day of January, 2009.

/s/ Steven C. Reed
Steven C. Reed