

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

<p>JOSEPH SAAD, INDIVIDUALLY, ZIHRA SAAD, INDIVIDUALLY,</p> <p style="text-align:center">PLAINTIFFS,</p> <p style="text-align:center">- Vs -</p> <p>CITY OF DEARBORN HEIGHTS, ET AL.,</p> <p style="text-align:center">DEFENDANTS.</p>	<p>CIVIL CASE No. 2:11-cv-10103</p> <p style="text-align:center">PLAINTIFFS' SECOND SET OF INTERROGATORIES TO DEFENDANT CITY OF DEARBORN HEIGHTS</p> <p style="text-align:center">- HONORABLE PATRICK J. DUGGAN –</p> <p style="text-align:center">- MAGISTRATE JUDGE MARK A. RANDON -</p>
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**PLAINTIFFS' SECOND SET OF INTERROGATORIES TO
DEFENDANT CITY OF DEARBORN HEIGHTS**

1 Plaintiffs Joseph Saad and Zihra Saad (collectively, "Plaintiffs") by counsel, and pursuant
2 to Fed. R. Civ. P. 26 and Fed. R. Civ. P. 33 submit their Second Set of Interrogatories
3 ("Discovery Requests") to the Defendant City of Dearborn Heights to be answered within (30)
4 days of the date of service hereof.

5 INSTRUCTIONS

6 1. In answering these Discovery Requests, please furnish all information that is
7 available to you including without limitation, information in the possession of your principals,
8 agents, attorneys(s) and accountants, and not merely information known to the personal
9 knowledge of the person(s) preparing the answers.

10 In producing the documents designated below, you are requested to furnish all documents
11 known or available to you regardless of whether a document is currently in your possession
12 custody, or control, or that of your attorneys, employees, agents, investigators, or other
13 representatives, or is otherwise available to you.

14 2. These Interrogatories shall be deemed continuing, and you are to promptly
15 supplement its answers if and when you obtain responsive documents, or documents which add
16 to or are in any way inconsistent with your initial production.

17 3. If you cannot answer any Interrogatory or its subject thereof in full, provide the
18 most complete response of which you are capable and state each reason why you were unable to
19 completely answer the discovery request or its subpart.

20 4. In the event the space provided is not sufficient for your answer to any of the
21 following Discovery Requests, attach a separate sheet of paper setting forth the question,
22 followed by the additional answering information.

23 5. All Interrogatories must be answered within (30) days of the date of service
24 hereof in accordance with Fed. R. Civ. P. 33.

25 DEFINITIONS

26 The definitions set forth below shall be used for purposes of interpreting and answering
27 this Request.

28 A. The terms "you" and "your," unless otherwise specified, shall mean and refer to
29 the Defendant City of Dearborn Heights, its agents, affiliates, employees, partners,
30 representatives, shareholders, whether current, past, or former, and/or attorneys.

1 B. The terms “document,” “documents,” “writing” and “document and tangible
2 thing” shall have the meaning ascribed in Rule 34 of the Federal Rules of Civil Procedure, and
3 shall refer to any means by which information is recorded or retained, including without
4 limitation, originals, non-identical copies, drafts, electronic or computer data storage, or writings.
5 Writings shall include, without limitation, all materials of any kind including, but not limited to,
6 orders, instructions, directives, regulations, reports, interviews, statements, summaries,
7 complaints, transcripts, memoranda, notes, correspondence and logs. “Documents” also refers to
8 any physical thing containing information or any written, recorded, graphic or other matter,
9 whether produced, reproduced, or stored on paper cards, tapes, discs, belts, charts, film,
10 computer storage devices or any other medium including, but not limited to, matter in the form
11 of books, reports, studies, statements, notebooks, insurance policies, applications, agreements,
12 appointment calendars, trip reports, travel records, working papers, graphs, contacts,
13 memoranda, notes, records, correspondence, diaries, directives, bookkeeping entries, sketches,
14 drawings, blueprints, photographs, pictures, financial statements, schedules, minutes, books of
15 account, bills of lading, freight bills, ledger sheets, accounting records, telegrams, operating
16 statements, balance sheets, pamphlets, budgets, minutes, invoices, receipts, memoranda of
17 telephone or personal conferences or conversations, interoffice memoranda, computer printouts,
18 microfilm booklets, circulars, prospectuses, studies, notices, projections, computer runs,
19 summaries or analyses of computer runs or any documents necessary to the comprehension or
20 understanding of any designated document, such as code for a computer run, and any published
21 material, and also includes but is not limited to originals, copies (with or without notes or
22 changes thereon), and drafts.

23 C. “Any,” “each” and “all” shall be read to be inclusive, and to require the
24 production of each and every document (as hereinafter defined) responsive to the particular
25 request for production in which such term appears.

26 D. “And” as well as “or” and any other conjunctions or disjunctions used herein
27 shall be read both conjunctively and disjunctively so as to require the production of all
28 documents (as hereinafter defined) responsive to all or any part of each particular request for
29 production in which any conjunction or disjunction appears.

30 E. “Person” means an individual, firm, corporation, association, organization or any
31 other entity.

1 F. To "identify" or to "state the identity of" a person means to state his, her or its
2 name and last known business address and telephone number, and if a natural person, his or her
3 last known residence address and telephone number.

4 G. To "identify" or to "state the identity of" a document means to state with respect
5 thereto:

- 6 (a) The date of the document, and if it bears no date, the date when it
7 was processed;
- 8 (b) The name of the person who prepared it;
- 9 (c) The name of the person who signed it or over whose name it was
10 issued;
- 11 (d) The name of each person to whom it was addressed or distributed;
- 12 (e) The nature and substance of the document with sufficient
13 particularity to enable it to be identified; and
- 14 (f) The present location of it and the name and address of its custodian
15 or custodians.

16 **INTERROGATORIES**

17 You are hereby requested to respond to the following:

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19 **INTERROGATORY NO. 1:** Please state the full name and title (if any) of the person answering
20 these Discovery Requests.

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25 **INTERROGATORY NO. 2:** Regarding the incident involving Michael Krause and Plaintiff Joseph
26 Saad occurring at the Saad residence on or about March 10, 2010, please state whether any
27 audio/video recordings existed, whether captured by any of the officers' recording equipment or
28 police cruiser recording equipment.

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INTERROGATORY NO. 3: To your knowledge, did any audio/video recordings of the incident referenced in Interrogatory No. 3 above ever exist?

INTERROGATORY NO. 4: Please describe the recording equipment used by Dearborn Heights police officers while on duty and where such recording equipment is (i.e., on the officer's person or the police cruiser?)

INTERROGATORY NO. 5: Please list all citizen complaints (by name of the complaining citizen) made against Defendants Keller, Cates, Gondek, Nason, and Skelton regardless of where records of such complaints are kept/stored.

INTERROGATORY NO. 6: How long does a document/record of a citizen complaint remain in a Dearborn Heights police officer's personnel file?

INTERROGATORY NO. 7: Please state whether you disclosed and/or provided the audio/video recordings (i.e., the audio/video recordings provided to Plaintiffs in Defendant's Supplemental Response) of the incident giving rise to this cause of action to Mr. Kal Najjar or Jamil Khuja during the criminal proceedings against Joseph Saad (Case No. 10-8999).

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INTERROGATORY NO. 8: If you disclosed/turned these over, approximately what date was this?

INTERROGATORY NO. 9: Please state why the audio/video recordings referred to in Interrogatories Nos. 7 and 8 were not provided to Plaintiff Joseph Saad’s defense attorney.

* * * * *

RESPECTFULLY SUBMITTED THIS 28TH DAY OF OCTOBER 2011,

HADOUSCo. |PLLC

/S/NEMER N. HADOUS

BY: NEMER N. HADOUS |AZ: 027529 | CA: 264431|
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PROOF OF SERVICE

THE UNDERSIGNED CERTIFIES THAT A COPY OF
THE FOREGOING INSTRUMENT WAS SERVED
UPON THE PARTIES TO THE ABOVE-CAPTIONED
MATTER AT THEIR RESPECTIVE ADDRESSES
DISCLOSED ON THE PLEADINGS ON **28TH** DAY
OF **OCTOBER 2011** BY:

- FIRST CLASS MAIL
- EMAIL

SIGNATURE: /s/NEMER N. HADOUS
NEMER N. HADOUS

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