

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:23-cv-01351-RMR-STV

GRCO LLC, a Missouri limited liability company,

Plaintiff,

v.

GRANBY RANCH METROPOLITAN DISTRICT, a quasi-municipal corporation  
and political subdivision of the State of Colorado,

Defendant.

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**DEFENDANT GRANBY RANCH METROPOLITAN DISTRICT'S FIRST SET OF  
INTERROGATORIES AND REQUESTS FOR PRODUCTION  
OF DOCUMENTS TO PLAINTIFF**

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Defendant Granby Ranch Metropolitan District, by and through counsel, William T. O'Connell, III and Saugat K. Thapa of Wells, Anderson & Race, LLC, hereby submits its First Set of Interrogatories and Requests for Production of Documents to Plaintiff pursuant to the Federal Rules of Civil Procedure, as follows:

**INSTRUCTIONS AND DEFINITIONS**

(a) Please restate each interrogatory and request for production before each response.

Please give separate responses to each interrogatory or request.

(b) "Your" and "you" refers to Plaintiff GRCO, LLC, and anyone acting on its behalf.

(c) If you claim a privilege to any response to any interrogatory or request, please identify the nature of the privilege, the name, current address and present telephone number of each person to whom any privileged communication may have been made, the date, location and circumstances of each privileged communication, and identify any documents or exhibits which

may reflect any privileged communication by type of document, author, recipient, date and content. Also, identify by name and current address any and all persons having custody or control of the original document or any legible copies thereof.

(d) Your answers to the interrogatories contained herein must be verified, dated, and signed.

(e) Where knowledge or information in possession of a party is requested, such request includes knowledge of the party's agents, representatives and, unless privileged, their attorneys.

(f) "Document" means all information contemplated by Fed. R. Civ. P. 34 and Fed. R. Evid. 1001, including but not limited to any recorded information or means of communication of any kind, including but not limited to correspondence, notes, memoranda, electronic communications such as e-mail, text messaging, YouTube, Twitter, Facebook, Instagram, LinkedIn, Snapchat, Tumblr, Pinterest, or other social media, reports, records, photographs, spreadsheets, audio or video recordings, fax or facsimile reproductions, and electronically stored data.

(g) "Identify" and "identification" when used in reference to an individual person, means to state their full name, title, and present business or organizational affiliation, including address. "Identify" and "identification" when used in reference to an entity other than an individual person, means to state the full name, address, and telephone number of the entity, corporation, organization, partnership, or other appropriate designation. "Identify" and "identification" when used in reference to a document, means to state the date, author (or if different, the signor or signors), addressee, type of document (e.g., letter, memorandum, record, e-mail or other communication, chart, etc.). If any such document was, but is no longer in Plaintiff's

possession or subject to Plaintiff's control, state what disposition was made of it and the reason for such disposition. In lieu of identifying any document, a true and correct copy thereof may be produced with and incorporated in your answers to the within interrogatories.

(h) "Complaint" or "Claim," unless otherwise stated, refers to Plaintiff's Amended Complaint in this matter on July 12, 2023 and any further amendments thereto.

(i) These discovery requests are continuing in character so as to require you to file supplementary answers if you obtain further or different information before trial.

### **INTERROGATORIES**

1. State the name and address of each person who prepared or assisted in the preparation of the responses to these interrogatories (do not identify anyone who simply typed or reproduced the responses).

2. Identify each owner/member of Plaintiff and the date each became an owner/member.

3. Identify all employees of Plaintiff, the positions held by each employee and the date each became an employee.

4. Describe Plaintiff's business purpose.

5. Identify all civil matters in which you have been a party. For each matter identified, state the parties to the action, the nature of the action, the date the matter was commenced and the date the matter concluded.

6. Identify whether you have posted, messaged, commented or communicated in any way (including but not limited to status updates, wall comments and postings, profiles, activity

streams, blog entries) on any social media site, social networking site,<sup>1</sup> online forum or blog (hereinafter “social media”) regarding the allegations in the Complaint or the damages allegedly sustained. If so, identify all such social media by site name, date of post, whether the post remains in existence or whether it was deleted, and when any such posts were deleted and by whom they were deleted.

7. With regard to your allegations at Paragraph 60, identify all facts supporting your allegations that the Fall Line Lots “do not benefit from any of the improvements that were partially funded with the 2006 Bonds” and Defendant “has not provided or funded any infrastructure or other improvements that serve the Fall Line Lots.”

8. With regard to your allegations at Paragraph 61, describe all efforts made to date to develop the “other undeveloped property.” If no efforts have been made to date, describe when you expect to do so and the efforts you anticipate making.

9. With regard to your allegations at Paragraph 89, identify all facts supporting same.

10. With respect to the Computation of Damages in your Rule 26(a)(1) initial disclosures, identify whether \$125,100 is still an accurate total of your economic damages incurred to date. If not, identify the current total and the manner in which the total was calculated.

### **REQUESTS FOR PRODUCTION OF DOCUMENTS**

1. All documents that you reviewed, consulted, or utilized in completing your responses to this discovery.

2. All documents supporting your answers to the above interrogatories.

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<sup>1</sup> Examples include but are not limited to Facebook, MySpace, Twitter, LinkedIn, Google+, Instagram, Flickr, Snapchat, Tumblr, Pinterest, Meetup, MeetMe, Tagged and ClassMates.

3. All hard copy and electronic logs, diaries, journals, chronicles, calendars, e-mails, text messages, photographs, appointment books, and notes taken, excluding any documents subject to the attorney-client privilege, that relate to the allegations in your Complaint.

4. All posts, messages, comments or communications (including but not limited to status updates, wall comments and postings, profiles, activity streams, blog entries) on any social media as identified in response to Interrogatory No. 6.

5. All hard copy and electronic written statements, affidavits, and reports of any person regarding the allegations in your Complaint.

6. All audio and video recordings that relate to the allegations in your Complaint.

7. All documents related to your claims for damages.

Dated this 6<sup>th</sup> day of December 2023.

Respectfully submitted,

*s/ William T. O'Connell, III*

William T. O'Connell, III

Saugat K. Thapa

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**ATTORNEYS FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

I hereby certify that on December 6, 2023, 2023, I electronically served the foregoing, **DEFENDANT GRANBY RANCH METROPOLITAN DISTRICT'S FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF** to the following email addresses:

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*Attorneys for Plaintiff*

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