

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT, AT ANCHORAGE

ALASKA BUILDING, INC., an Alaska
corporation,

Plaintiff

vs.

716 WEST FOURTH AVENUE LLC,
KOONCE PFEFFER BETTIS, INC., d/b/a
KPB ARCHITECTS, PFEFFER
DEVELOPMENT, LLC, LEGISLATIVE
AFFAIRS AGENCY, and CRITERION
GENERAL, INC.,

Defendants.

Case No. 3AN-15-05969CI

**ALASKA BUILDING, INC.'S FIRT SET OF INTERROGATORIES TO
CRITERION GENERAL, INC.**

Pursuant to Civil Rules 26(d)(1) and 33, Plaintiff Alaska Building, Inc. (Alaska Building), requests Defendant Criterion General, Inc. (Criterion), to answer the following interrogatories.

I. DEFINITIONS

Unless the question conclusively indicates otherwise, the following definitions apply to the words used in these interrogatories:

A. Person: The term "person" includes a corporation, limited liability company, partnership, other business association or entity, a natural person, and any government or government body, commission, board or agency.

B. Document: The term "document" is defined to mean and include any and all graphic or physical representations, including without limitation all handwritten, typed or printed material, photographs, plans, drawings, schematics, copies of all the foregoing, and material stored on tape, computer or any other electronic medium, including e-mail, video and sound recordings.

C. Identification of Documents: When you are requested to "identify" a document, you are requested to provide the following with regard to each document:

- (1) A description of the document with sufficient particularity to enable the custodian of the document to respond to a request for production or subpoena *duces tecum* for the document;
- (2) The name, business address, residence address, telephone number and occupation of the present custodian of the document;
- (3) The date on which such document was first prepared; and
- (4) The name, business address, residence address, telephone number and occupation of each person who prepared or signed the document.

D. Identification of Natural Person: When you are requested to "identify" a natural person, you are requested to provide the following with regard to each such person:

- (1) The name of the person;
- (2) The business address of the person;
- (3) The residence address of the person;
- (4) The business telephone number of the person;

- (5) The residence telephone number of the person;
- (6) The e-mail address of the person;
- (7) The occupation of the person and the name of the employer of the person, if any.

E. Identification of Business Entity: When you are requested to "identify" any corporation, partnership, limited liability company, joint venture or other business entity, you are requested to provide the following with regard to each such entity:

- (1) Whether the entity is a corporation, partnership, limited liability company, joint venture or other type of entity;
- (2) If the entity is a partnership or joint venture:
 - (i) identify each partner or joint venturer;
 - (ii) state whether he or she is a limited or general partner; and
 - (iii) specify the date on which the partnership or joint venture was formed;
- (3) If the entity is a corporation:
 - (i) identify each of the current officers of the corporation;
 - (ii) state the date of incorporation;
 - (iii) state the State in which the corporation is incorporated.
- (4) If the entity is a limited liability company:
 - (i) identify each of the current members and managers of the limited liability company;
 - (ii) state the date of formation;

(iii) state the State in which the limited liability company was formed.

F. You: The words "you" or "your" " refer to Criterion General, Inc., an Alaska corporation, and its officers, board members, employees, managers, attorneys, subcontractors, agents when acting for it, and any organization associated with it.

G. LIO Project: The words "LIO Project" refers to the

(1) demolition of

(a) the old Empress Theatre, most recently the Anchor Pub and Club, located on the West 39½ feet of Lot 2, Block 40, Original Townsite of Anchorage (Empress Theatre Lot), and

(b) the previous Legislative Information Office building, located on Lot 3A, Block 40, Original Townsite of Anchorage, according to Plat No. 94-58 (Lot 3A) down to its steel frame,

and

(2) construction of the new Legislative Information Office building on Lot 3A and the Empress Theatre Lot,

in order to lease space under that certain document titled "Extension of Lease and Lease Amendment No. 3 Extension of Lease Under AS 36.30.083; Amendment of Lease; Material Modification of Lease," dated September 19, 2013, made and entered into by and between 716 LLC and defendant Legislative Affairs Agency (LAA), amending the Lease dated April 6, 2004, recorded in Book 2004-024411-0, Anchorage Recording District, Third Judicial District, State of Alaska, as previously amended, and renewed through May

31, 2014, by Renewal of Lease No. 5, recorded May 23, 2013, in Book 2013-028824-0, Anchorage Recording District, Third Judicial District, State of Alaska.

H. Party Wall: The words "party wall" means that certain wall used by both the Alaska Building and the old Empress Theatre, most recently the Anchor Pub before the Anchor Pub building was demolished, from the north end of the wall to the south end of the wall as it existed prior to the LIO Project.

I. Relate: The words "relate" or "relating to" mean referring to, concerning, alluding to, responding to, connected with, commenting on, in respect of, about, regarding, discussing, showing, describing, mentioning, reflecting, analyzing, constituting, evidencing, or pertaining to, directly or indirectly, in whole or in part.

J. This Matter: For purposes of this Alaska Building, Inc.'s First Set of Interrogatories to Criterion General, Inc., the words "this matter" refers to the LIO Project as it relates to all measures taken, considered, contemplated, or discussed, or any combination thereof, to (1) protect the Party Wall from moving or damage, and (2) protect the Alaska Building from damage

II. CLAIMS OF PRIVILEGE:

If any response is withheld on grounds of privilege, the basis for such claim shall be stated with particularity.

INTERROGATORY NO. 1.

Please identify all persons with knowledge of the LIO Project as it relates to this matter. If any such person(s) is an attorney, such person(s) must be identified.

RESPONSE

LAW OFFICES OF JAMES B. GOTTSTEIN
406 G STREET, SUITE 206
ANCHORAGE, ALASKA 99501
TELEPHONE (907) 274-7686
FACSIMILE (907) 274-9493

INTERROGATORY NO. 2.

With respect to each person identified in response to the preceding interrogatory, please summarize such person's knowledge of the LIO Project as it relates to this matter.

RESPONSE

INTERROGATORY NO. 3.

Please identify all documents relating to this matter.

RESPONSE

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DATED: April 20, 2015.

Law Offices of James B. Gottstein

By: 
James B. Gottstein, ABA # 7811100

VERIFICATION OF RESPONSES

I swear or affirm that I have read the responses to Alaska Building, Inc.'s First Set of Interrogatories to Criterion General, Inc., an Alaska corporation, and that they are true and correct to the best of my informed knowledge and belief.

Date: _____

STATE OF ALASKA)
) ss:
THIRD JUDICIAL DISTRICT)

Subscribed and sworn or affirmed to before me this ____ day of _____
201____, by _____.

Clerk of Court, Notary Public or
other person authorized to administer
oaths.

My Commission expires: _____

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CERTIFICATE OF SERVICE

On this date, these Interrogatories were mailed to:

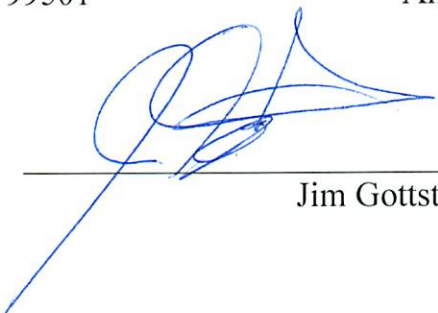
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Dated: April 20, 2015



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