

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

**PLAINTIFF'S FIRST REQUESTS FOR PRODUCTION TO
PFEFFER DEVELOPMENT, LLC**

Pursuant to Civil Rule 34 Plaintiff Alaska Building, Inc., serves the following requests for production on the Defendant Pfeffer Development, LLC (Pfeffer).

Electronic production of hard-copy documents as word searchable Acrobat (PDF) files is preferred. Reasonably useable forms or formats for electronically stored information include (i) word searchable Acrobat (PDF) for written documents, (ii) jpeg or tiff for photographs or other images or graphics, (iii) MP3 for audio files, (iv) MPEG or MP4 for video files, and (v). pst (Outlook) or word searchable Acrobat for E-mails.

LAW OFFICES OF
JAMES B. GOTTSTEIN
406 G STREET, SUITE 206
ANCHORAGE, ALASKA
99501

TELEPHONE
(907) 274-7686
FACSIMILE
(907) 274-9493

I. DEFINITIONS

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

A. LIO Lease: The words "LIO Lease" refers to that certain document titled "Extension of Lease and Lease Amendment No. 3 Extension of Lease," a copy of which is attached as Exhibit 1 to the June 12, 2015, Affidavit in Support of Plaintiff's Motion for Partial Summary Judgment.

B. New LIO Building. The term "New LIO Building," means the completed building under the LIO Lease.

C. 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, copies of all the foregoing, and electronically stored information within the meaning of Civil Rule 34(a), including e-mail.

D. Relate: The words "relate" or "relating to" mean referring to, pertaining 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.

II. CLAIMS OF PRIVILEGE:

If any document(s) or other item(s) identified or requested herein are withheld for any reasons under a claim of privilege or any other claim, the particular document or other item(s) withheld are to be described as follows:

- (1) The date of the document or other item;
- (2) The author or addressor of the document or other item;
- (3) The recipient or addressee of the document or other item;
- (4) The number of pages of the document;
- (5) The general subject matter of the document or other item;
- (6) Each person who sent, received and obtained copies of the document or other item;
- (7) A general description of the document or other item (i.e., letter, report, memoranda, audio or video recording); and

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- (8) The basis of the privilege asserted with respect to the alleged grounds for non-production of the document or other item.

REQUEST FOR PRODUCTION NO. 1.

Please produce all documents, from January 1, 2008, forward, including without limitation, e-mails, relating to providing space to the Legislative Affairs Agency for the Anchorage Legislative Information Office when the Legislative Affairs Agency's then current lease terminated. This request encompasses all efforts relating to providing space for the Anchorage Legislative Information Office upon the expiration of the then existing lease. By way of illustration, this request includes without limitation all responsive documents related to the building at 9th and I Street in Anchorage that was ultimately renovated and occupied by NANA, Inc. This request includes all responsive documents relating to the LIO Lease, including without limitation, negotiations with the Legislative Affairs Agency and/or any agents or representatives thereof, specifically including Rep. Mike Hawker.

RESPONSE

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REQUEST FOR PRODUCTION NO. 2.

Please produce all documents relating to the LIO Lease complying with the requirement in AS 36.30.083(a) that it extend a real property lease.

RESPONSE

REQUEST FOR PRODUCTION NO. 3.

Please produce all documents relating to opinions, estimates or determinations of the market rental value and/or value of the New LIO Building and/or leasing or purchasing space by the Anchorage Legislative Information Office from January 1, 2010, except for (a) that certain "Rental Value Appraisal Report Anchorage Legislative Information Office," by Waronzof Associates, submitted October 15, 2013, as of June 1, 2014, a copy of which can be accessed by going to <http://bit.ly/1MCKd93>, and (b) that certain October 10, 2013, Report by the Alaska Housing Finance Corporation on the LIO Building Anchorage, Alaska, titled "Evaluation of Cost Estimate for Downtown Development," a copy of which can be accessed by going to <http://bit.ly/1LV9MeW>. This request includes communications with any and all persons regarding the market rental value of the New LIO Building, including without limitation during the planning phase and whether or not any opinion regarding the market rental value of the New LIO Building was formed or

provided. In essence, this request is for all documents relating to the value or market rental value relating to by the Legislative Affairs Agency leasing or otherwise acquiring space for the Anchorage Legislative Information Office after the expiration of the then existing lease, including space other than under the LIO Lease.

RESPONSE

REQUEST FOR PRODUCTION NO. 4.

Please produce all documents memorializing payments for costs under the LIO Lease for what is called renovations. In other words, this request is to obtain all cost records for demolition and construction of the space under the LIO Lease which the Legislative Affairs Agency occupied in January of 2015.

RESPONSE

DATED: August 3, 2015.

Law Offices of James B. Gottstein

By: 

James B. Gottstein, ABA # 7811100
Attorney for Alaska Building, Inc.

CERTIFICATE OF SERVICE

I certify that on August 3, 2015, I hand delivered a copy hereof to Kevin M. Cuddy, Jeffrey W. Robinson/Eva R. Gardner, Blake Call, Daniel T. Quinn, and Cynthia L. Ducey, and mailed a copy to Mark Scheer.


Jim Gottstein