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November 13, 2017

*Via Electronic Mail and Federal Express*

*(tpuc.docketroom@tn.gov)*

Tory Lawless, Acting Docket Manager

Tennessee Public Utility Commission

502 Deaderick Street, 4<sup>th</sup> Floor

Nashville, Tennessee 37243

**Re: *In Re: Petition of the Laurel Hills Water System Receivership for Provisional Certificate of Public Convenience and Necessity***  
**Tennessee Public Utility Commission, Docket No. 17-00098**

Dear Ms. Lawless:

Attached is Renegade Mountain Community Club's First Set of Interrogatories and First Request for Production of Documents Upon Receivership Management, Inc. The original and four copies will follow by Federal Express. Copies of the Petition have been served by first class mail on the parties listed in the Certificate of Service.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Daniel J. Moore', followed by a long horizontal line.

Daniel J. Moore

**IN THE TENNESSEE PUBLIC UTILITY COMMISSION  
AT NASHVILLE, TENNESSEE**

<b>IN RE:</b>	)	
	)	
<b>PETITION OF THE LAUREL HILLS</b>	)	
<b>WATER SYSTEM IN RECEIVERSHIP</b>	)	<b>Docket No. 17-00098</b>
<b>FOR PROVISIONAL CERTIFICATE OF</b>	)	
<b>PUBLIC CONVENIENCE AND NECESSITY</b>	)	

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**RENEGADE MOUNTAIN COMMUNITY CLUB'S  
FIRST SET OF INTERROGATORIES AND  
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS  
UPON RECEIVERSHIP MANAGEMENT, INC.**

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Comes now Renegade Mountain Community Club (the "Community Club"), by and through counsel, and respectfully propounds this First Request for Admissions and First Request for Production of Documents upon Receivership Management, Inc. ("Petitioner").

**INSTRUCTIONS**

The following instructions shall apply to each Interrogatory Request:

In answering these Interrogatories, furnish all information that is available to you, including information in the possession of your attorneys, investigators or experts, and not merely that which is of your own personal knowledge. If you cannot answer any portion of any of the following Interrogatories after exercising due diligence to secure the information requested, so state and answer to the extent possible.

Each interrogatory is to be answered separately and specifically. No answer is to be left blank. If the answer to an interrogatory or subparagraph of an interrogatory is "none" or "unknown," such statement must be written in the answer. If the answer to the entire question is not known, so state and answer the part known. If an exact date is not known, state the closest

approximate date. If the question is inapplicable, “not applicable” or “N/A” must be written in the answer.

If you object to any interrogatory or part thereof, state the bases for your objection and then answer all parts of the interrogatory to which you have not objected. If you claim that any information requested is privileged or otherwise protected from discovery, identify such information by subject matter and state with particularity the nature and basis of the claim of privilege or other reason that the information is protected from discovery.

Whenever a date, amount, or other computation or figure is requested, the exact date, amount or other computation or figure should be given or the best estimate thereof; and the answer shall state that the date, amount, or other computation or figure is an estimate or approximation.

These Interrogatories are deemed continuing in nature and call for prompt supplemental production whenever you shall receive or discover additional information covered by these Interrogatories. You should promptly respond or supplement Interrogatories should you obtain information upon the basis of which you know a prior response was incorrect or incomplete when made, or that a response, thought correct and complete when made, is no longer true and complete.

## **DEFINITIONS**

The terms “You,” “Your,” “Receivership Management, Inc.,” and “Petitioner” are to be liberally and reasonably construed and shall include Receivership Management, Inc., and all of its representatives, agents, employees and attorneys, or any other individual under Receivership Management, Inc.’s control who is or was in possession of, or who may have obtained information on Receivership Management, Inc.’s behalf.

The term “Petition” means the Petition filed in the in The Tennessee Public Utility Commission At Nashville, Tennessee In Re: The Laurel Hills Water System In Receivership For Provisional Certificate Of Public Convenience And Necessity Docket No. 17-00098.

The term “Receivership” means the receivership in *Tennessee Regulatory Authority v, Laurel Hills Condominiums Property Owners Association*, Cumberland County Chancery Court, Docket No. 2012-CH-560.

The term “Water System” means the water system controlled by Laurel Hills Condominiums Property Owners Association, now operated by Petitioner pursuant to the Receivership.

The term “identify” when used with reference to an individual person shall mean to give the person’s: (i) full name; (ii) present or last known address and telephone number; (iii) present or last known place of employment; (iv) present or last known job title; and (v) relationship, if any, to Receivership Management, Inc.. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.

The term “identify” when used with reference to a document or written communication shall mean to give, to the extent known: (i) the type of document; (ii) the general subject matter of the document; (iii) the date of the document; (iv) the author(s), according to the document; and (v) the person(s) to whom, according to the document, the document (or a copy) was to have been sent; or, alternatively, to produce the document.

The term “identify” when used with reference to an oral communication, discussion, conversation, meeting, conference, or any other oral statements, shall mean to describe in detail

the substance of, to state the date and location of, and to identify the participants in each such communication, discussion, conversation, meeting, conference or statement.

The term “describe” as used in these Interrogatories in connection with any act, occurrence, omission, or series of acts, occurrences or omissions shall mean to state the following information: (1) the identity of each and every person involved in the act, occurrence, omission or series of acts, occurrences or omissions as provided in the definition of “identify;” (2) the date or dates of each and every act, occurrence or omission; (3) a brief description of the act, occurrence, omission, or series of acts, occurrences or omissions by reference to underlying facts rather than by ultimate facts or conclusions of facts or law and the substance of any contact or communication in connection therewith; and (4) a description of each and every document involved in the act, occurrence, omission or series of acts, occurrences or omissions.

The term “document” or “documents” shall mean any written, recorded, filmed, or graphic matter, whether produced, reproduced or on paper, cards, tapes, film, electronic facsimile, computer storage devices or any other media, including but not limited to, memoranda, notes, minutes, records, employment files, case files, pleadings, photographs, compact discs, DVDs, correspondence, telegrams, diaries, bookkeeping entries, financial statements, tax returns, checks, check stubs, reports, studies, responses to questionnaires, charts, graphs, statements, notebooks, handwritten notes, applications, agreements, books, pamphlets, periodicals, emails, texts, blogs, postings, appointment calendars, recordings of oral conversations, and work papers, and also including but not limited to, originals, drafts and all copies which are different in any way from the original whether by interlineation, receipt stamp, notation, indication of copies sent or received, or otherwise, that are in the possession, custody or

control of you, your agents, representatives, or attorneys or any and all persons acting on your behalf.

The terms “person” and “persons” as used herein shall mean and include, without limiting the generality of its meaning, any natural or individual person, corporation, firm, partnership, association, governmental body, agency or subdivision, committee, commission, or other organization or entity.

The term “contact” or “communication” shall mean any contact between two or more persons, including any of the agents, employees, or representatives thereof, and shall include without limitation, written contact by such means as letters, memoranda, e-mail, telegrams, faxes, telex, or any other documents, and oral contact by such means as face-to-face meetings, telephone conversations and video conferences.

The term “any” shall mean each and every, as well as any one.

The terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

The singular includes the plural, and vice versa.

The terms “relating to” and “reflecting” (or any forms thereof) shall mean, constituting, containing, leading to, concerning, discussing, commenting upon, mentioning, evidencing, quoting, describing, bearing upon, supporting, contradicting, regarding, containing information regarding, made in connection with or by reason of, or deriving or arising from. As indicated, the terms necessarily include information which is in opposition to as well as in support of any position(s) and claim(s) of Receivership Management, Inc.

## **INTERROGATORIES**

1. Please state Petitioner's full name, current address, and tax identification number.

ANSWER:

2. Please identify in detail all persons who are current employees of Petitioner, including name, address, position, and periods of employment.

ANSWER:

3. Please identify in detail all persons who are current customers of the Water System, including the name, address, account number, account billing history, and current account status.

ANSWER:

4. Please identify in detail all of the Petitioner's business records related to the Receivership.

ANSWER:

5. Please identify each person who is an expert witness and who Petitioner expects to call at the hearing of this matter. With regard to each expert witness, please describe: (a) the subject matter about which the expert is expected to testify; (b) the substance of the facts and opinions as to which expert is expected to testify; (c) give a summary for the grounds of each such opinion; (d) please attach to your answers to these interrogatories a copy of each expert's curriculum vitae; and (e) please state the dates of any reports prepared by such experts and attach

to your answers to these interrogatories a copy of any report prepared by each such expert who Receivership Management, Inc. expects to call at the trial of this matter.

ANSWER:

6. Please identify each person associated with the Petitioner with personal knowledge of the facts related to the Receivership.

ANSWER:

### **REQUEST FOR PRODUCTION OF DOCUMENTS**


Please produce for inspection and copying the following:

1. Copies of all communications between the Receiver and any other person relative to the Receivership.
2. Copies of Petitioner's income tax records and returns related to the Receivership.
3. Copies of any and all records pertaining to all persons who are all current customers of the Water System, including the name, address, account number, account billing history, and current account status.
4. Copies of any and all documents that Petitioner may use to support the claims asserted in the Petition.
5. Copies of any and all documents identified, referred to, or relied upon in preparing the answers to the foregoing Interrogatories.



Respectfully submitted this 13<sup>th</sup> day of November, 2017.

WOOLF, McCLANE, BRIGHT, ALLEN  
& CARPENTER, PLLC



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*Attorneys for Renegade Mountain Community Club*

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and exact copy of the foregoing pleading has been served upon the following counsel for the parties in interest herein by delivering same to the offices of said counsel, or by mailing same to the offices of said counsel by United States Mail with sufficient postage thereon to carry the same to its destination.

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and Reporter State of Tennessee  
Office of the Tennessee Attorney General  
Public Protection Section  
Consumer Protection and Advocate Division  
P.O. Box 20207  
Nashville, Tennessee 37202-0207

This the 13<sup>th</sup> day November, 2017.

  
\_\_\_\_\_  
Daniel J. Moore, Esq.