

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 76

20STCV37498

JANE DOE vs ALKIVIADES DAVID, et al.

November 24, 2025

8:30 AM

Judge: Honorable Christopher K. Lui

Judicial Assistant: Tamie Le

Courtroom Assistant: None

CSR: None

ERM: None

Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): No Appearances

For Defendant(s): No Appearances

NATURE OF PROCEEDINGS: Ruling on Submitted Matter Re: Ruling on Plaintiff's Motions to Compel Further Responses to (1) Judgment Debtor Request for Production of Documents (Set One), and (2) Judgment Debtor Special Interrogatories (Set One);

The Court, having taken the matter under submission on 10/23/2025 for Hearing on Motion to Compel Discovery (not "Further Discovery") of Plaintiff, Jane Doe, to Plaintiff's Judgment Debtor Special Interrogatories, Set One [Res. ID# 325064127353], now rules as follows:

Ruling Re: Plaintiff's Motions to Compel Further Responses to (1) Judgment Debtor Request for Production of Documents (Set One), and (2) Judgment Debtor Special Interrogatories (Set One)

Plaintiff Jane Doe ("Plaintiff") brings two motions to compel Defendant Alkiviades David ("Defendant") to provide further responses to Plaintiff's first sets of post-judgment Requests for Production and Special Interrogatories, propounded in Plaintiff's status as Judgment Creditor.

For the reasons set forth below, the motions are both GRANTED. Defendant shall serve further responses as indicated herein within 30 days of this order.

I. Legal Standards Regarding Post-Judgment Discovery

The Code of Civil Procedure governs the use of interrogatories and document demands in post-judgment proceedings by a judgment creditor. Such post-judgment discovery generally follows the procedures of the Civil Discovery Act, with certain limitations on the timing and frequency of discovery.

"Except as provided in this section and in subdivision (b) of Section 708.020, the procedure in this article may be used at any time a money judgment is enforceable." (Code Civ. Proc., § 708.010, subd. (a).)

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“The judgment creditor may propound written interrogatories to the judgment debtor, in the manner provided in Chapter 13 (commencing with Section 2030.010) of Title 4 of Part 4, requesting information to aid in enforcement of the money judgment. The judgment debtor shall answer the interrogatories in the manner and within the time provided by Chapter 13 (commencing with Section 2030.010) of Title 4 of Part 4.” (Code Civ. Proc., § 708.020, subd. (a).)

“The judgment creditor may demand that any judgment debtor produce and permit the party making the demand, or someone acting on that party's behalf, to inspect and to copy a document that is in the possession, custody, or control of the party on whom the demand is made in the manner provided in Chapter 14 (commencing with Section 2031.010) of Title 4 of Part 4, if the demand requests information to aid in enforcement of the money judgment. The judgment debtor shall respond and comply with the demand in the manner and within the time provided by Chapter 14 (commencing with Section 2031.010) of Title 4 of Part 4.” (Code Civ. Proc., § 708.030, subd. (a).)

Interrogatories and inspection demands may not be served pursuant to these sections “within 120 days after the judgment debtor has responded” to discovery requests previously served pursuant to these sections “or within 120 days after the judgment debtor has been examined pursuant to Article 2 (commencing with Section 708.110), and the judgment debtor is not required to respond” to any discovery so served.” (Code Civ. Proc., §§ 708.020, subd. (b); 708.030, subd. (b).)

Interrogatories and inspection demands served pursuant to these sections “may be enforced, to the extent practicable, in the same manner as interrogatories in a civil action.” (Code Civ. Proc., §§ 708.020, subd. (c); 708.030, subd. (c).)

“If enforcement of the judgment is stayed on appeal by the giving of a sufficient undertaking under Chapter 2 (commencing with Section 916) of Title 13, all proceedings under this article are stayed. In any other case where the enforcement of the judgment is stayed, all proceedings under this article are stayed unless the court otherwise expressly orders.” (Code Civ. Proc., § 708.010, subd. (b).)

II. Law Governing Discovery Motions

1. Meet and Confer requirement:

A party bringing certain discovery motions must attempt to meet and confer with their opposing

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party before filing the motion in an effort to resolve the dispute and avoid motion practice. Motions to compel initial responses to interrogatories or inspection demands do not require any pre-filing meet and confer. (Code Civ. Proc. §§ 2030.290 (interrogatories), 2031.300 (inspection demands).) Likewise, a motion to deem requests for admission to be admitted can be filed without pre-filing meet and confer. (Code Civ. Proc. § 2033.280.) However, motions to compel further responses *do* require pre-filing meet and confer. (Code Civ. Proc. §§ 2030.300(b)(1) (interrogatories), 2031.310(b)(2) (inspection demands), 2033.290(b)(1) (requests for admissions).)

Code of Civil Procedure Section 2016.040 provides that “A meet and confer declaration in support of a motion shall state facts showing a reasonable and good faith attempt at an informal resolution of each issue presented by the motion.”

1. Separate Statement Requirement

California Rule of Court 3.1345 requires that all motions involving further discovery contain a separate statement with the text of each request, the response, and a statement of factual and legal reasons for compelling further responses. (CRC, Rule 3.1345(a).)

1. Motion to Compel Further Response to Document Demands

Code of Civil Procedure Section 2031.310 provides that “[o]n receipt of a response to demand for inspection . . . , the demanding party may move for an order compelling further response if the demanding party deems that (1) [a] statement of compliance with the demand is incomplete; (2) [a] representation of inability to comply is inadequate, incomplete, or evasive; [or] (3) [a]n objection in the response is without merit or too general.” (C.C.P. § 2031.310(a).) A motion to compel further responses must be made within 45 days of service of the disputed responses. (CCP § 2031.310(c).) The responding party may grant the demanding party an extension of the 45 day deadline, but the extension must be made by written agreement. (Id.) The motion must set forth specific facts showing good cause justifying the discovery sought by the demand. (CCP § 2031.310(b)(1).)

The Code of Civil Procedure contemplates three forms of proper responses to a request for production: a statement of compliance in full or in part (CCP § 2031.220); a statement of inability to comply (CCP § 2031.230); and a partial objection coupled with a statement of compliance or representation of inability to comply (CCP § 2031.240).

A statement of compliance under section 2031.220 has two parts: (1) the responding party “shall

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state that the production, inspection, copying, testing, or sampling, and related activity demanded, will be allowed either in whole or in part,” and (2) “that all documents or things in the demanded category that are in the possession, custody, or control of that party and to which no objection is being made will be included in the production.”

A representation of inability to comply under section 2031.230 has three parts: the statement must (1) affirm that a diligent search and reasonable inquiry has been made in an effort to comply, and (2) the statement shall specify whether the inability to comply is because “the particular item or category has never existed, has been destroyed, has been lost, misplaced, or stolen, or has never been, or is no longer, in the possession, custody, or control of the responding party.” The third part comes into play if the responding party knows or believes someone else has possession of the documents: if so, “[t]he statement shall set forth the name and address of any natural person or organization known or believed by that party to have possession, custody, or control of that item or category of item.”

Where a response to a document demand consists of a partial objection coupled with either a statement of compliance or a representation of inability to comply, the Discovery Act mandates a form of response: the responding party must (1) “Identify with particularity any document, tangible thing, land, or electronically stored information,” and (2) “Set forth clearly the extent of, and the specific ground for, the objection.” (Code Civ. Proc. § 2031.240(b).) If an objection is based on a claim of privilege or work product protection, “the response shall provide sufficient factual information for other parties to evaluate the merits of that claim, including, if necessary, a privilege log.” (Code Civ. Proc. § 2031.240(c)(1).)

When a party fails to serve a timely response to document demands, that party waives any objections to the demands, including privilege and work product protections. (Code Civ. Proc. § 2031.300.) The court may, on motion, relieve a party from waiver of objections if the court finds that the party (1) subsequently served a response in substantial compliance with the other provisions of the Code of Civil Procedure; and (2) failed to make timely response due to mistake, inadvertence, or excusable neglect. (Code Civ. Proc. § 2031.300(a).)

D. Motion to Compel Further Response to Interrogatories

Section 2030.220(a) requires responses to each interrogatory "to the extent possible" which are "as complete and straightforward as the information reasonably available" to the responding party. Section 2030.230 further requires that: “[i]f the answer to an interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from the documents of the party to whom the interrogatory is directed, and if the burden or expense of

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preparing or making it would be substantially the same for the party propounding the interrogatory as for the responding party, it is a sufficient answer to that interrogatory to refer to this section and to specify the writings from which the answer may be derived or ascertained. This specification shall be in sufficient detail to permit the propounding party to locate and to identify, as readily as the responding party can, the documents from which the answer may be ascertained. The responding party shall then afford to the propounding party a reasonable opportunity to examine, audit, or inspect these documents and to make copies, compilations, abstracts, or summaries of them.” (Emphasis added.)

When a party fails to serve a timely response to interrogatories, that party waives the right to exercise the option under Code Civ. Proc. § 2030.230 to produce writings in lieu of substantive response, and also waives any objection to the interrogatories, including privilege and work product protections. (Code Civ. Proc. § 2030.290.) The court may, on motion, relieve a party from waiver of objections if the court finds that the party (1) subsequently served a response in substantial compliance with the other provisions of the Code of Civil Procedure; and (2) failed to make timely response due to mistake, inadvertence, or excusable neglect. (Code Civ. Proc. § 2030.290(a).)

When a propounding party is not satisfied with responses, "the propounding party may move for an order compelling a further response if the propounding party deems that any of the following apply: (1) An answer to a particular interrogatory is evasive or incomplete[;] (2) An exercise of the option to produce documents under Section 2030.230 is unwarranted or the required specification of those documents is inadequate[; or] (3) An objection to an interrogatory is without merit or too general. (Code Civ. Proc. § 2030.300.)

III. DISCUSSION

1. Plaintiff’s Motion to Compel Further Responses to Document Demands

As set forth in the Declaration of Dustin Moaven in support of this motion, Plaintiff/Judgment Creditor propounded a set of Requests for Production on July 17, 2025. On August 19, 2025, Defendant served objections-only responses to the requests for production.

On September 4, 2025, Plaintiff sent Defendant a meet and confer letter demanding substantive, verified, code-compliant responses by September 18, 2025. Plaintiff contends that Defendant did not respond satisfactorily to the meet and confer request, which necessitated the filing of this motion on September 19, 2025.

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Plaintiff states that the requests for production are narrowly tailored to matters regarding Defendant's financial condition and ability to pay, including requests concerning Defendant's business entities that are alleged to be alter egos of one another, and requests concerning Defendant's income and assets. Plaintiff argues that Defendant's objections are ill-taken and should be overruled, and that the Court should order Defendant to provide code-compliant substantive responses.

In opposition, Defendant's counsel argues that the trial proceedings were improper, that the case is on appeal, and that there is no evidence of alter egos against whom collection activity would be appropriate. Defendant also contends that Plaintiff did not conduct any good faith pre-filing efforts to meet and confer to attempt resolution of the disputes, denied a reasonable extension request, and has not established good cause for the production of the requested documents. In particular, Defendant argues that the time frame of many of the requests—ten years—is unreasonable. Defendant also argues that the requests are overbroad, burdensome, oppressive and harassing, invade third party privacy rights, and improperly seek attorney-client privileged and attorney work product material.

The perfecting of an appeal does not stay enforcement of a money judgment in the absence of an undertaking. (Code Civ. Proc. § 917.1(a)(1).) In the absence of the posting of an undertaking or bond in this Court, the pendency of an appeal is not relevant to this motion.

With regard to Defendant's objections, the Court is not persuaded. The fact that the requests seek documents from as far back as 10 years is not a facially unreasonable request. Defendant's objections based on attorney-client privilege and the work product doctrine can be dealt with on a document by document basis after Defendant has prepared a privilege log with regard to any documents for which an objection is raised. And Defendant did not make any effort to meet his burden of establishing grounds for limiting the demands due to undue burden,^[1] or the need to protect third party privacy rights.^[2] To the extent that Defendant argues that information concerning his net worth is harassing, the argument is misplaced. While the specific issue of Defendant's net worth may not be relevant in a post-judgment setting, information regarding Defendant's sources of income and assets is relevant at this stage, because Plaintiff is entitled to use such information to target enforcement efforts. Accordingly, Defendant's objections are **OVERRULED** and an order compelling further responses is justified.

The notice of motion does not request the imposition of sanctions; none are awarded.^[3]

Further code-compliant responses are due within 30 days of this order.

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1. Plaintiff's Motion to Compel Further Responses to Special Interrogatories

As set forth in the Moaven Declaration in support of this motion, the procedural history of the discovery yielding this motion is parallel to the history regarding the requests for production discussed in part III.A, above. Plaintiff/Judgment Creditor propounded a set of Special Interrogatories on July 17, 2025. On August 19, 2025, Defendant served objections-only responses to those interrogatories, and the parties did not resolve the dispute through meet and confer efforts.

The substantive issues raised in this motion are similar to the issues raised with regard to the document demands. Defendant argues that the motion should be denied for lack of adequate meet and confer, and contends that the interrogatories are not proper, because they are overbroad, burdensome and invade third party privacy rights, seek privileged information, and many of them have an unsupportable time frame, seeking information going back ten years.

The Court finds Defendant's objections are unpersuasive for the same reasons stated above. Accordingly, Defendant's objections are **OVERRULED** and an order compelling further responses is justified.

The notice of motion does not request the imposition of sanctions; none are awarded.

Further code-compliant responses are due within 30 days of this order.

Footnotes:

[1] An "objection based upon burden must be sustained by evidence showing the quantum of work required." (*West Pico Furniture Co. v. Superior Court* (1961) 56 Cal.2d 407, 417; see *Williams v. Superior Court* (2017) 3 Cal.5th 531, 549-50.)

[2] In *Williams v. Superior Court* (2017) 3 Cal.5th 531, the California Supreme Court applied the privacy rights analysis of *Hill v. National Collegiate Athletic Assn.* (1994) 7 Cal.4th 1, in its discussion of third party privacy rights in the discovery context. Under *Hill*, a party seeking to invoke privacy rights must satisfy a two part test: first, the proponent of the privacy right must show "(1) a legally protected privacy interest; (2) a reasonable expectation of privacy in the circumstances; and (3) conduct by defendant constituting a serious invasion of privacy; second, if the privacy claimant satisfies the threshold inquiry, "[a] defendant may prevail in a state constitutional privacy case by negating any of the three elements just discussed or by pleading

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and proving, as an affirmative defense, that the invasion of privacy is justified because it substantively furthers one or more countervailing interests.” (County of Los Angeles v. Superior Court (2021) 65 Cal.App.5th 621, 640.)

[3] If sanctions are sought, Code of Civil Procedure section 2023.040 requires that the notice specify the identity of the person against whom sanctions are sought and the type of sanction requested, that the motion be supported in the points and authorities, and the facts be set forth in a declaration supporting the amount of any monetary sanction.

This Order constitutes the entirety of the Court's ruling and no separate order shall be issued.

Clerk is ordered to give notice.

Certificate of Service is attached.