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6 Attorneys for Defendants
SUNROAD CENTRUM, LP; SUNROAD ASSET
7 MANAGEMENT, INC., and SUNROAD ENTERPRISES

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SAN DIEGO
10 CENTRAL DIVISION
11

12 THE PEOPLE OF THE STATE OF
13 CALIFORNIA and THE CITY OF SAN
DIEGO, a municipal corporation,

14 Plaintiff,

15 v.

16 SUNROAD CENTRUM, L.P., a California
17 Limited Partnership, SUNROAD ASSET
MANAGEMENT, INC., a California
18 Corporation, SUNROAD ENTERPRISES,
CALIFORNIA DEPARTMENT OF
19 TRANSPORTATION, AERONAUTICS
DIVISION, and DOES 1 through 50,
20 inclusive,

21 Defendant.
22

No. GIC 877054

**DEFENDANTS SUNROAD CENTRUM, L.P.,
SUNROAD ASSET MANAGEMENT, INC.,
AND SUNROAD ENTERPRISES' FIRST SET
OF REQUESTS FOR ADMISSION TO THE
CITY OF SAN DIEGO**

1 **PROPOUNDING PARTY: DEFENDANTS SUNROAD CENTRUM, L.P., SUNROAD ASSET**
2 **MANAGEMENT, INC., AND SUNROAD ENTERPRISES**

3 **RESPONDING PARTY: PLAINTIFF CITY OF SAN DIEGO**

4 **SET NUMBER: ONE**

5
6 Pursuant to California Code of Civil Procedure section 2033.010, Defendants Sunroad
7 Centrum, L.P., Sunroad Asset Management, Inc., and Sunroad Enterprises demand that Plaintiff
8 City of San Diego responds to the following requests in writing and under oath within thirty days
9 from the day of such demand.

10 **INSTRUCTIONS**

11 1. YOU may not give lack of information or knowledge as a reason for failure to
12 admit or deny unless YOU state that YOU have made reasonable inquiry and the information
13 known or readily obtainable by YOU is insufficient to enable YOU to admit or deny.

14 2. In responding to each Request, specifically admit or deny the matter, or set forth in
15 detail the reasons why YOU cannot truthfully admit or deny the matter. In the event that YOU
16 deny only a part of the matter of which an admission is requested, specify so much of it as is true
17 and qualify or deny the remainder.

18 3. The present tense includes the past and future tenses. The singular includes the
19 plural, and the plural includes the singular. "All" means "any and all"; "any" means "any and
20 all." "Including" means "including but not limited to." "And" and "or" encompass both "and"
21 and "or." Words in the masculine, feminine or neutral form shall include each of the other
22 genders.

23 **DEFINITIONS**

24 Notwithstanding any definition below, each word, term, or phrase used in these Requests
25 is intended to have the broadest meaning permitted under the California Code of Civil Procedure.
26 As used in these Requests, the following terms are to be interpreted in accordance with these
27 definitions.

1 180 feet.

2 **REQUEST FOR ADMISSION NO. 3:**

3 Admit that BUILDING falls outside all CITY airport zones.

4 **REQUEST FOR ADMISSION NO. 4:**

5 Admit that CITY, as owner and operator of Montgomery Field, is charged with
6 knowledge of all local, state, and federal regulations concerning airport use.

7 **REQUEST FOR ADMISSION NO. 5:**

8 Admit the authenticity of the December 21, 2006 letter from CITY to SUNROAD
9 authorizing work to continue on the BUILDING.

10 **REQUEST FOR ADMISSION NO. 6:**

11 Admit that FAA April 24, 2006, "Notice of Presumed Hazard" placed no restrictions on
12 SUNROAD'S ability to construct the BUILDING.

13 **REQUEST FOR ADMISSION NO. 7:**

14 Admit that the BUILDING poses no unreasonable restriction on air navigation.

15 **REQUEST FOR ADMISSION NO. 8:**

16 Admit that the BUILDING poses no threat to public health or safety.

17 **REQUEST FOR ADMISSION NO. 9:**

18 Admit that YOU know of no misrepresentations made by SUNROAD to any
19 governmental agencies, including the FAA, DOT, and CITY, concerning the BUILDING.

20 **REQUEST FOR ADMISSION NO. 10:**

21 Admit YOU know of no unfair or deceptive conduct undertaken by SUNROAD in its
22 dealing with governmental agencies, including the FAA, DOT, and CITY, concerning the
23 BUILDING.

24 **REQUEST FOR ADMISSION NO. 11:**

25 Admit that YOU know of no advertising SUNROAD distributed concerning the
26 BUILDING that was misleading.

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REQUEST FOR ADMISSION NO. 12:

Admit YOU know of no misleading statements SUNROAD made to the general public concerning the BUILDING.

Dated: February 2, 2007

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