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6 Attorneys for Plaintiffs,  
7 People of the State of California,  
8 City of San Diego

Exempt from filing fees  
Gov.Code §6103

8 **SUPERIOR COURT OF CALIFORNIA**

9 **COUNTY OF SAN DIEGO – CENTRAL DIVISION**

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THE PEOPLE OF THE STATE OF )  
CALIFORNIA and THE CITY OF SAN )  
DIEGO, a municipal corporation, )  
Petitioners and Plaintiffs, )  
v. )  
SUNROAD CENTRUM, L.P., a California )  
Limited Partnership, SUNROAD ASSET )  
MANAGEMENT, INC., a California )  
corporation, SUNROAD ENTERPRISES, )  
CALIFORNIA DEPARTMENT OF )  
TRANSPORTATION, AERONAUTICS )  
DIVISION, and DOES 1 through 50, inclusive, )  
Respondents and Defendants. )

Case No. GIC 877054

**CITY OF SAN DIEGO'S RESPONSE  
TO FORM INTERROGATORIES,  
SET ONE PROPOUNDED BY  
SUNROAD CENTRUM, L.P.,  
SUNROAD ASSET MANAGEMENT,  
INC. AND SUNROAD ENTERPRISES**

Judge:  
Dept:  
Trial Date: Not Yet Set  
Complaint Filed: 12/15/06

SUNROAD CENTRUM, L.P., a California )  
Limited Partnership, SUNROAD ASSET )  
MANAGEMENT, INC., a California )  
corporation, SUNROAD ENTERPRISES, )  
Cross-Complainants and )  
Petitioners, )  
v. )  
CITY OF SAN DIEGO, a municipal )  
corporation, and ROES 1 through 10, inclusive, )  
Cross-Defendants and )  
Respondents )

**RECEIVED**

MAR - 7 2007

**Gerald Blank, Lawyer**



1 avoid unnecessary duplication and repetition of stating them in each individual response.

2           2.       The City objects to each Form Interrogatory to the extent that it seeks  
3 information neither relevant to the subject matter of this litigation nor reasonably calculated to  
4 lead to the discovery of admissible evidence.

5           3.       The City objects to each Form Interrogatory to the extent that it seeks  
6 information protected by the attorney-client privilege, the attorney work-product doctrine, or  
7 any other applicable privilege, protection or doctrine. Nothing contained herein is intended to  
8 be, or should be construed as, a waiver of the attorney-client privilege, the attorney work-  
9 product doctrine, or any other applicable privilege, protection or doctrine.

10          4.       The City objects to each Form Interrogatory to the extent that they could be  
11 interpreted as calling for the production of trade secrets or other confidential or proprietary  
12 documents subject to sections 860 and/or 1060 of the Evidence Code.

13          5.       No response to any Form Interrogatory shall be deemed a waiver of any  
14 objection not set forth which could be made to any such Form Interrogatory, including, but  
15 not limited to, the relevancy of the Form Interrogatory and/or any other material affecting  
16 potential admissibility of such information at the trial of this action.

17          6.       The City's responses, including objections, are based on discovery and  
18 information currently available to The City. Discovery and investigation of this matter are  
19 continuing. The City reserves the right to produce or rely upon evidence, facts, documents  
20 and information which have not been discovered, and the relevance of which have not been  
21 determined. The City reserves the right to supplement or modify these responses, including  
22 objections, should additional or different information become available.

23               Subject to, and without waiving the foregoing General Objections, the City responds  
24 to Plaintiff's Form Interrogatories as follows:

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1 **FORM INTERROGATORY NO. 17.1**

2 (a) **REQUEST FOR ADMISSION NO. 1**

3 (b) The City's Charter, Section 40 identifies the City's independently elected City  
4 Attorney as the Chief Legal Advisor of, and attorney for, the City and all of its offices  
5 thereof. The City Attorney has the independent authority to prosecute all offenses  
6 against the City ordinances and offenses against the laws of the State of California.  
7 The City's Charter Section 40.1 provides the City Attorney with concurrent  
8 jurisdiction with the District Attorney for the County of San Diego to prosecute  
9 violations of State law occurring within the City limits for any offense constituting a  
10 misdemeanor.

11 (c) City Attorney, Michael Aguirre and all his Deputy City Attorneys; Mayor Jerry  
12 Sanders and staff; San Diego City Council members.

13 (d) City of San Diego City Charter Section 40 and 40.1, which is equally available to all  
14 Parties, and is available on the City's website.

15 (a) **REQUEST FOR ADMISSION NO. 2**

16 (b) On March 27, 2006, the City issued an initial grading and foundation permit for the  
17 SUNROAD BUILDING. The height of the BUILDING to be constructed was not  
18 specified. The permit specified only that the BUILDING would be a twelve (12)  
19 story, 306,000 square foot commercial office building. On July 7, 2006, after  
20 SUNROAD assured the FAA on June 20, 2006, that Sunroad "agreed to the 160  
21 height" specified by the FAA, the City issued a second building permit for the  
22 construction of a twelve (12) story, 306,000 square foot commercial office building.  
23 No other land entitlement granted to SUNROAD has ever resulted in a vested right to  
24 construct a building to any particular height, and more specifically, SUNROAD has  
25 never acquired any absolute right to build any building to a height of 180 feet above  
26 ground level ("AGL") from the CITY.

27 (c) Murillo German; Timberlin Robinson; Peter Chou; Craig Bachman; Tom Story. The  
28 City reserves the right to identify other PERSONS with knowledge of the facts as such

1 information becomes available through discovery.

2 (d) City Development Services Department Approval No. 3-03319, dated 3/27/06; City  
3 Development Services Department Approval No. 2-65131, dated 7/7/06; Letter from  
4 Craig Bachman to FAA dated June 20, 2006; New Century City Center Master Plan  
5 approved 11/12/02; Amendment to the Development Agreement Between the City of  
6 San Diego and LNR Kearny Mesa, Inc. Successor General Dynamics Property Inc.,  
7 Document 00-18867 adopted on 10/16/00; Second Amendment to Development  
8 Agreement Between the City of San Diego and General Dynamics Properties, Inc.  
9 Document No. 00-19123 dated 11/25/02. The City reserves the right to identify further  
10 DOCUMENTS as such information becomes available through discovery to the City.

11 (a) **REQUEST FOR ADMISSION NO. 3**

12 (b) To the extent "CITY airport zones" can be construed to mean the City's Airport  
13 Environs Overlay Zone, San Diego Municipal Code, Article 2, Division 3, as shown in  
14 maps Nos. C-803, C-804, C-855 and C-885, filed in the office of the City Clerk, the  
15 BUILDING is not within that City zone. It is, however, within the City's CC-1-3  
16 zone that limits the height of buildings to 45 feet.

17 (c) Peter Chou, City of San Diego; Jeanette Temple, City of San Diego; Tait Galloway,  
18 City of San Diego; John Cruz, City of San Diego; Kelly Broughton, City of San  
19 Diego; James Waring, City of San Diego; Marcela Escobar-Eck, City of San Diego.  
20 The City reserves the right to identify other PERSONS with knowledge of the facts as  
21 such information becomes available through discovery.

22 (d) San Diego Municipal Code, Article 2, Division 3 and maps Nos. C-803, C-804, C-855  
23 and C-885, filed in the office of the City Clerk. The City reserves the right to identify  
24 further DOCUMENTS as such information becomes available through discovery.

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1 (a) **REQUEST FOR ADMISSION NO. 5**

2 (b) This request does not comply with the provisions of Code of Civil Procedure  
3 §2030.060(g) in that a party requesting an admission of the genuineness of any  
4 documents must attach copies of those documents to the requests, and must make the  
5 original of those documents available for inspection on demand by the party to whom  
6 the requests for admission are directed. SUNROAD has not attached a copy of the  
7 document; therefore, the City is unable to admit or deny this request.

8 (c) n/a

9 (d) n/a

10 (a) **REQUEST FOR ADMISSION NO. 6**

11 (b) The FAA April 24, 2006, "Notice of Presumed Hazard" ("FAA APRIL NOTICE")  
12 specifically stated that the structure at 180 feet above ground level ("AGL") would  
13 have an adverse effect upon navigable airspace or air navigation facilities at  
14 Montgomery Field. As such, it stated "the structure is presumed to be a hazard to air  
15 navigation." The FAA APRIL NOTICE also specifically states "THIS LETTER  
16 DOES NOT AURTHORIZE CONSTRUCTION OF THE STRUCTURE EVEN AT  
17 A REDUCED HEIGHT" (Caps in the original). Therefore, the CITY contends it was  
18 FAA's opinion that construction of the BUILDING should be halted. Furthermore, as  
19 a "hazard" to air navigation at Montgomery Field, the CITY contends SUNROAD  
20 would be prohibited by law from constructing the BUILDING without first receiving  
21 a permit from CALTRANS.

22 (c) Karen McDonald, FAA; Jeff Brown, CALTRANS; Gary Cathey, CALTRANS. The  
23 City reserves the right to identify other PERSONS with knowledge of the facts as such  
24 information becomes available through discovery.

25 (d) FAA April 24, 2006 "Notice of Presumed Hazard". The City reserves the right to  
26 identify further DOCUMENTS as such information becomes available through  
27 discovery to the City.

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1 (a) **REQUEST FOR ADMISSION NO. 7**

2 (b) Subject to the objection that the meaning of “an unreasonable restriction on air  
3 navigation” calls for expert testimony, the CITY responds: On August 11, 2006, the  
4 FAA specifically issued a “ Notice of Hazard Determination” (“HAZARD  
5 DETERMINATION”) for the BUILDING that specifically stated “...it is determined  
6 that the structure [BUILDING] has a substantial adverse effect on the safe and  
7 efficient utilization of the navigable airspace[at Montgomery Field] by aircraft and is a  
8 hazard to air navigation.” The CITY contends This can only be interpreted to be an  
9 “unreasonable restriction on air navigation” at Montgomery Field. The HAZARD  
10 DETERMINATION has not been lifted by the FAA and remains in place for the  
11 BUILDING. The FAA is the federal agency charged with the duty to enforce the  
12 Federal Aviation Act of 1958. The FAA has authority to combat aviation hazards and  
13 promulgate aviation safety rulemaking for air traffic. The FAA, as the federal agency  
14 charged with the duty to promulgate aviation safety rules, has never defined what  
15 might be a “reasonable” risk to air navigation, as opposed to an “unreasonable” risk.  
16 The plain meaning of the word “hazard” implies that no risk to air navigation would  
17 ever be considered “reasonable,” by any federal or State agency. Because it must be  
18 assumed the FAA would have spoken had they intended such a distinction to exist, it  
19 must be concluded that FAA means any “hazard to air navigation” is unreasonable.  
20 Further, CALTRANS is the California regulatory agency with the duty to foster and  
21 promote the development of a safe, efficient, dependable, and environmentally  
22 compatible air transportation system within the State and is charged with the duty in  
23 California to enforce the State Aeronautics Act, Public Utilities Code (“PUC”)§  
24 21001 et seq. The PUC is basis for all CALTRANS’ aviation policies. CALTRANS  
25 provides for aviation system planning and for the integration of aviation into  
26 transportation system planning on a regional, statewide, and national basis.  
27 CALTRANS’ Division of Aeronautics administers noise regulation and land use  
28 planning laws that foster compatible land use around airports, and regulates other

1 impacts caused by aviation. The Division of Aeronautics also provides grants and  
2 loans for safety, maintenance and capital improvement projects at airports.  
3 CALTRANS notified SUNROAD the construction of the BUILDING could not  
4 proceed without a CALTRANS permit to construct the BUILDING because, as a  
5 “hazard” it posed an unreasonable risk to air navigation at the CITY’s Montgomery  
6 Field airport. On September 14, 2006, SUNROAD was notified by CALTRANS that  
7 it was “unlawful” to proceed with construction of the BUILDING as it violated PUC  
8 §21659. On September 29, 2006, CALTRANS notified SUNROAD that if it  
9 proceeded with the construction of the BUILDING, it was proceeding at its own risk.  
10 Despite all warnings, SUNROAD has proceeded to construct the BUILDING knowing  
11 it poses an unreasonable risk to air navigation at the CITY’s Montgomery Field. For  
12 these reasons, therefore, the CITY denies that the BUILDING “poses no unreasonable  
13 restriction on air navigation.”

14 (c) Karen Mc Donald, FAA; Jeff R. Brown, CALTRANS; Gary Cathey, CALTRANS.  
15 The City reserves the right to identify other PERSONS with knowledge of the facts as  
16 such information becomes available through discovery.

17 (d) FAA Notice of Presumed Hazard from Karen Mc Donald dated 4/26/06; Email from  
18 Karen McDonald to Craig Bachmann, SUNROAD, dated 6/20/06; FAA Notice of  
19 Hazard from Karen Mc Donald to SUNROAD dated 8/11/06; Letter from  
20 CALTRANS (Jeff Brown) to SUNROAD dated 9/14/06; Letter from CALTRANS  
21 (Jeff Brown) to Barbara Lichman dated 9/29/06; Letter from CALTRANS (Jeff  
22 Brown) to CITY dated 10/25/06; CITY’s Stop Work Notice dated 10/27/06; Letter  
23 from CALTRANS to CITY (Marcela Escobar-Eck) dated 11/9/06; Letter from  
24 CALTRANS (Raiyn Bain) to Barbara Lichman dated 11/27/06; CITY’s Second Stop  
25 Work Notice dated 12/13/06; Letter from CALTRANS (Jeff Brown) to CITY (Jim  
26 Waring) dated 1/19/07; The City reserves the right to identify further DOCUMENTS  
27 as such information becomes available through discovery to the City.

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1 (a) **REQUEST FOR ADMISSION NO. 8**

2 (b) The BUILDING is a “hazard” to air navigation at the CITY’s Montgomery Field as  
3 declared by the FAA and CALTRANS. As such, the BUILDING poses a threat to  
4 both public health and safety due to the increased risk of an air traffic accident, or an  
5 aircraft collision into the BUILDING that would affect all members of the public on  
6 the ground, their physical safety, as well as the safety of their personal and real  
7 property.

8 (c) Karen McDonald, FAA; Jeff Brown, CALTRANS; Gary Cathey, CALTRANS. The  
9 City reserves the right to identify other PERSONS with knowledge of the facts as such  
10 information becomes available through discovery.

11 (d) FAA Notice of Presumed Hazard from Karen Mc Donald dated 4/26/06; Email from  
12 Karen McDonald to Craig Bachmann, SUNROAD, dated 6/20/06; FAA Notice of  
13 Hazard from Karen Mc Donald to SUNROAD dated 8/11/06; Letter from  
14 CALTRANS (Jeff Brown) to SUNROAD dated 9/14/06; Letter from CALTRANS  
15 (Jeff Brown) to Barbara Lichman dated 9/29/06; Letter from CALTRANS (Jeff  
16 Brown) to CITY dated 10/25/06; CITY’s Stop Work Notice dated 10/27/06; Letter  
17 from CALTRANS to CITY (Marcela Escobar-Eck) dated 11/9/06; Letter from  
18 CALTRANS (Raiyn Bain) to Barbara Lichman dated 11/27/06; CITY’s Second Stop  
19 Work Notice dated 12/13/06; Letter from CALTRANS (Jeff Brown) to CITY (Jim  
20 Waring) dated 1/19/07; The City reserves the right to identify further DOCUMENTS  
21 as such information becomes available through discovery to the City.

22 (a) **REQUEST FOR ADMISSION NO. 9**

23 (b) On April 24, 2006, the FAA issued a “Notice of Presumed Hazard” (“FAA APRIL  
24 NOTICE”) specifically stated that the BUILDING at 180 feet above ground level  
25 (“AGL”) would have an adverse effect upon navigable airspace or air navigation  
26 facilities at Montgomery Field. The FAA further stated any height exceeding 160 feet  
27 above ground level would warrant a Determination of Hazard to Air Navigation. The  
28 FAA APRIL NOTICE also specifically states “THIS LETTER DOES NOT

1 AURTHORIZE CONSTRUCTION OF THE STRUCTURE EVEN AT A REDUCED  
2 HEIGHT” (Caps in the original). On June 20 2006, SUNROAD assured the FAA in  
3 writing that SUNROAD “agreed “ to the160 AGL height restriction set forth in the  
4 FAA APRIL NOTICE. SUNROAD also informed the FAA that they would verify the  
5 data previously submitted to the FAA and seek a re-evaluation if a variance was  
6 found. Notwithstanding the representations made to the FAA, SUNROAD completed  
7 the framing of the BUILDING to full height of 180 feet AGL within days of its June  
8 20, 2006 letter and filed a Notice of Completion with the FAA.

9 (c) Karen McDonald, FAA; Craig Bachmann, SUNROAD; Jeff Brown, CALTRANS;  
10 Gary Cathey, CALTRANS. The City reserves the right to identify other PERSONS  
11 with knowledge of the facts as such information becomes available through discovery.

12 (d) FAA Notice of Presumed Hazard from Karen Mc Donald dated 4/26/06; Email from  
13 Karen McDonald to Craig Bachmann, SUNROAD, dated 6/20/06; Letter from  
14 SUNROAD (Craig Bachmann) to FAA (Karen Mc Donald) dated 20/06. The City  
15 reserves the right to identify further DOCUMENTS as such information becomes  
16 available through discovery to the City.

17 (a) **REQUEST FOR ADMISSION NO. 10**

18 (b) On April 24, 2006, the FAA issued a “Notice of Presumed Hazard” (“FAA APRIL  
19 NOTICE”) specifically stated that the BUILDING at 180 feet above ground level  
20 (“AGL”) would have an adverse effect upon navigable airspace or air navigation  
21 facilities at Montgomery Field. The FAA further stated any height exceeding 160 feet  
22 AGL would warrant a Determination of Hazard to Air Navigation. The FAA APRIL  
23 NOTICE also specifically states “THIS LETTER DOES NOT AURTHORIZE  
24 CONSTRUCTION OF THE STRUCTURE EVEN AT A REDUCED HEIGHT”  
25 (Caps in the original). On June 20 2006, SUNROAD assured the FAA in writing that  
26 SUNROAD “agreed” to the160 AGL height restriction set forth in the FAA APRIL  
27 NOTICE. SUNROAD also informed the FAA that they would verify the data  
28 previously submitted to the FAA and seek a re-evaluation if a variance was found.

1 Notwithstanding the representations made to the FAA, SUNROAD deceptively  
2 completed the framing of the BUILDING to full height of 180 feet AGL within days  
3 of its June 20, 2006 letter and filed a Notice of Completion with the FAA.

4 (c) Karen McDonald, FAA; Craig Bachmann, SUNROAD; Jeff Brown, CALTRANS;  
5 Gary Cathey, CALTRANS. The City reserves the right to identify other PERSONS  
6 with knowledge of the facts as such information becomes available through discovery.

7 (d) FAA Notice of Presumed Hazard from Karen Mc Donald dated 4/26/06; Email from  
8 Karen McDonald to Craig Bachmann, SUNROAD, dated 6/20/06; Letter from  
9 SUNROAD (Craig Bachmann) to FAA (Karen Mc Donald) dated 20/06. The City  
10 reserves the right to identify further DOCUMENTS as such information becomes  
11 available through discovery to the City.

12 (a) **REQUEST FOR ADMISSION NO. 11**

13 (b) SUNROAD has consistently advertised on its website that the BUILDING will stand  
14 12 stories tall and will be the tallest building in the Kearny Mesa market “clad in  
15 metal glass and stone and capped by a great architectural roof element reaching for the  
16 sky”. SUNROAD has, and continues to advertise and misrepresent to the public that  
17 the “large upper portion of the structure will project a high-tech image for the 21st  
18 century with expansive floor to ceiling glazing”. SUNROAD continues to make these  
19 misrepresentations of fact, not apprising the public, and/or any prospective lessee, that  
20 the top stories of the BUILDING pose a “hazard” to air navigation at the CITY’s  
21 Montgomery Field airport. SUNROAD has never informed the public that the  
22 building is subject to the CITY’s nuisance abatement action and has never informed  
23 the public that the BUILDING will not likely be issued an occupancy permit, nor be  
24 insurable, until the BUILDING is reduced to a height found not to be a hazard by the  
25 FAA and CALTRANS. SUNROAD continues to advertise that the BUILDING is the  
26 first high-rise Class A high rise office building to come to Kearny Mesa and is being  
27 very well-received by prospective tenants and is leasing quickly. SUNROAD has  
28 never disclosed that the BUILDING has been declared a “hazard” by the FAA and

1 was built without required CALTRANS permits, all of which is deceptive with the  
2 intent to mislead the public in an effort to secure lease contracts in advance for unfair  
3 financial gain, all to the detriment of the public and individual lessees who may be so  
4 deceived and harmed.

5 (c) Tom Story, Richard Vann, SUNROAD; Mark Wayne, Dan Runyon, Eric Vann--  
6 Burnham Real Estate Company. The City reserves the right to identify other  
7 PERSONS with knowledge of the facts as such information becomes available  
8 through discovery.

9 (d) Daily Transcript; San Diego Metropolitan; Sunroad Centrum Website; Burham Real  
10 Estate Company website. The City reserves the right to identify further  
11 DOCUMENTS as such information becomes available through discovery to the City.

12 (a) **REQUEST FOR ADMISSION NO. 12**

13 (b) SUNROAD has consistently advertised on its website that the BUILDING will stand  
14 12 stories tall and will be the tallest building in the Kearny Mesa market “clad in  
15 metal glass and stone and capped by a great architectural roof element reaching for the  
16 sky”. SUNROAD has, and continues to advertise and misrepresent to the public that  
17 the “large upper portion of the structure will project a high-tech image for the 21st  
18 century with expansive floor to ceiling glazing”. SUNROAD continues to make these  
19 misrepresentations of fact, not apprising the public, and/or any prospective lessee, that  
20 the top stories of the BUILDING pose a “hazard” to air navigation at the CITY’s  
21 Montgomery Field airport. SUNROAD has never informed the public that the  
22 building is subject to the CITY’s nuisance abatement action and has never informed  
23 the public that the BUILDING will not likely be issued an occupancy permit until the  
24 BUILDING is reduced to a height found not to be a hazard by the FAA and  
25 CALTRANS. SUNROAD continues to advertise that the BUILDING is the first high-  
26 rise Class A high rise office building to come to Kearny Mesa and is being very well-  
27 received by prospective tenants and is leasing quickly. SUNROAD has never  
28 disclosed that the BUILDING has been declared a “hazard” by the FAA and

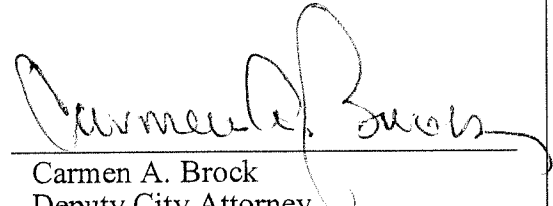
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was built without required CALTRANS permits, all of which is deceptive with the intent to mislead the public in an effort to secure lease contracts in advance for unfair financial gain, all to the detriment of the public and individual lessees who may be so deceived and harmed.

- (c) Tom Story, Richard Vann, SUNROAD; Mark Wayne, Dan Runyon, Eric Vann-- Burnham Real Estate Company. The City reserves the right to identify other PERSONS with knowledge of the facts as such information becomes available through discovery.
- (d) Daily Transcript; San Diego Metropolitan; Sunroad Centrum Website; Burham Real Estate Company website. The City reserves the right to identify further DOCUMENTS as such information becomes available through discovery to the City.

Dated: March 6, 2007

MICHAEL J. AGUIRRE, City Attorney

By   
Carmen A. Brock  
Deputy City Attorney

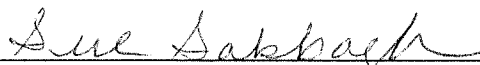
Attorneys for Petitioners and Plaintiffs  
The People of the State of California and  
The City of San Diego

## VERIFICATION

I, Sue Sabbagh, am an agent for purposes of making this verification on behalf of the City of San Diego and make these answers and responses to Defendants Sunroad Centrum, L.P., Sunroad Asset Management, Inc., and Sunroad Enterprises' Form Interrogatories, Set Number One. These responses are based upon information furnished to me by others and to the best of my knowledge, information and belief, said responses are true and correct.

I declare under penalty of perjury, under the laws of the State of California that the foregoing is true and correct.

Executed, this 1<sup>st</sup> day of March 2007, at San Diego, California.



Sue Sabbagh  
City Attorney Investigator

1 MICHAEL J. AGUIRRE, City Attorney  
CARMEN A. BROCK, Deputy City Attorney  
2 California State Bar No. 162592  
Office of the City Attorney  
3 1200 Third Avenue, Suite 1100  
San Diego, California 92101-4100  
4 (619) 533-5800; fax (619) 533-5856  
Attorneys for Respondent CITY OF SAN DIEGO

Case No. GIC 877054

5 **SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO**

6 DECLARATION  
7 OF SERVICE

*People, et al. v. Sunroad Centrum LP*  
I/C Judge: Hon. John S. Meyer Dept. 61

8 I am employed in the City of San Diego, California. I am over the age of 18 and not a party to  
the within action; my business address is: 1200 Third Avenue, Suite 1100, San Diego, California 92101.

9 On March 6, 2007, I caused to be served the following document(s) described as:

10 1. **CITY OF SAN DIEGO'S RESPONSE TO FORM INTERROGATORIES, SET**  
11 **ONE PROPOUNDED BY SUNROAD CENTRUM, L.P., SUNROAD ASSET**  
12 **MANAGEMENT, INC. AND SUNROAD ENTERPRISES**

13 in this action by placing the true copies thereof enclosed in a sealed envelope addressed as  
follows:

14 **(Via Personal Service)**

15 Steven M. Strauss  
COOLEY GODWARD KRONISH  
4401 Eastgate Mall  
16 San Diego, CA 92121  
(858) 550-6000; (858) 550-6420 (Fax)  
17 *Attorneys for Sunroad Centrum; Sunroad Asset*  
*Management, Inc., and Sunroad Enterprises*

**(Via U.S. Mail)**

Gerald Blank  
LAW OFFICES OF GERALD BLANK  
444 West C Street, Ste. 210  
San Diego, CA 92101  
(619) 238-1111; (619) 238-1126 (Fax)  
*Attorneys for Community Airfields*  
*Association of San Diego, Inc.*

18 **(Via U.S. Mail)**

19 Jim Pokorny  
LAW OFFICES OF JAMES F. POKORNY  
20 110 West C Street, Ste. 1504  
San Diego, CA 92101  
21 (619) 239-8142; (619) 239-8141 (Fax)  
*Attorneys for Aircraft Owners and Pilots Assoc.*

**(Via U.S. Mail)**

Raiyn Bain  
Julie A. Jordan  
Dept. of Transportation – Legal Dept.  
4050 Taylor Street, MS 130  
San Diego, CA 92110  
(619) 688-2351; (619) 688-6905 (Fax)  
*Attorneys for Dept. of Transportation,*  
*Division of Aeronautics*

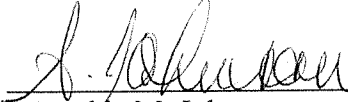
22  
23  
24  **(BY MAIL)** I served the individual named by placing the documents in a sealed envelope. I  
then placed it for collection and mailing with the United States Postal Service this same day, at  
my address shown above, following ordinary business practices.

25  
26  **(BY FAX)** At \*\*, I transmitted the above-described document by facsimile machine to the  
above-listed fax number. The transmission originated from facsimile phone number (619) 236-  
7215 and was reported as complete and without error. The facsimile machine properly issued a  
27 transmission report, a copy of which is attached hereto. [CCP section 1013(e); CRC Rule 2008].

28  **(BY OVERNIGHT DELIVERY)** I caused the envelope(s) to be delivered overnight via an  
overnight delivery service in lieu of delivery by mail to the addressee(s). [CCP. section 1013]

1 [XX] (BY PERSONAL SERVICE) I served the individual named by personally delivering a copy to  
2 the office Steven M. Strauss of Cooley Godward Kronish via **American Messenger Services**

3 I declare under penalty of perjury under the laws of the State of California that the  
4 foregoing is true and correct. Executed on March 6, 2007, San Diego, California.

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7 Amelda M. Johnson

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