

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UUSI, LLC, a Michigan domestic limited  
Liability company, d/b/a NARTRON,

Plaintiff,

vs.

Civil Action No: 2:13-cv-10444

HON. ARTHUR J. TARNOW

Mag. Judge Randon

ROBERT BOSCH LLC, a Michigan  
Corporation, and BROSE NORTH AMERICA,  
INC., a Michigan corporation,

Defendants.

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**PLAINTIFF UUSI, LLC, d/b/a NARTRON'S  
FIRST SUPPLEMENTAL RESPONSES TO BROSE NORTH AMERICA, INC.'S  
FIRST SET OF INTERROGATORIES TO UUSI, LLC (NOS. 1-7)**

Plaintiff UUSI, LLC's d/b/a Nartron ("UUSI," "Nartron," or "Plaintiff") initially responded to Defendant Brose North America, Inc.'s (hereafter "Brose" or "Defendant") First Set of Interrogatories to UUSI, LLC ("the Interrogatories") on September 4, 2013. In a letter dated September 9, 2013 ("the Brose Letter," see Attachment A), counsel for Brose objected to

the adequacy of UUSI's September 4<sup>th</sup> Response to the Interrogatories. In accordance with agreement between counsel, UUSI, by its attorneys, hereby supplements its answers to Defendant Brose North America, Inc.'s (hereafter "Brose" or "Defendant") First Set of Interrogatories to UUSI, LLC ("the Interrogatories") in accordance with Fed. R. Civ. P. 33, as follows:

### **GENERAL OBJECTIONS TO ALL INTERROGATORIES**

Each answer and response is subject to all objections as to competence, relevance, materiality, propriety and admissibility, and to any and all other objections on any grounds that would require the exclusion of any statements contained herein if such interrogatories were asked of, or statements contained herein were made by, a witness presented and testifying in Court, all of which objections and grounds are expressly reserved and may be interposed at the time of trial.

The following General Objections are made with respect to each and every Interrogatory, regardless of whether the General Objections are repeated or referenced in any of the answers contained herein. These General Objections are grouped collectively to avoid unnecessarily duplicative and repetitious responses to each of the Interrogatories. These General Objections are incorporated into each of the responses set forth below. Nothing in UUSI's responses to the Interrogatories shall be construed as a waiver of these General Objections, as stated below:

1. UUSI objects to the Interrogatories, Definitions and Instructions to the extent that they purport to impose upon UUSI any obligation beyond those imposed by the Federal Rules of Civil Procedure or the Local Rules of this Court, including, but not limited to, any discovery request that exceed the scope, number and/or timing imposed by Federal Rule of Civil Procedure 26 and 33, and this Court's Scheduling Order dated August 14, 2013.

2. UUSI objects to the Interrogatories, Definitions and Instructions to the extent they seek information protected by the attorney-client privilege and/or attorney work product immunity, information protected by any other lawfully recognized privilege or immunity, information prepared in anticipation of litigation or prosecution of this action, or information containing the mental impressions, conclusions, opinions or legal theories of any attorney or other legal representative of UUSI.

3. UUSI objects to the Interrogatories, Definitions and Instructions to the extent that they are not reasonably calculated to lead to the discovery of admissible evidence. By providing any of the information requested, UUSI does not concede the relevance thereof to the claims or defenses in this litigation.

4. UUSI objects to the Interrogatories to the extent they seek information that is a matter of public record or that is otherwise as equally accessible to Brose as it is to UUSI and/or that is obtainable from other sources that are more convenient, less burdensome and/or less expensive.

5. UUSI objects to the Interrogatories as including all multiple discrete parts and subparts, which have not been sequentially numbered. *See* Fed. R. Civ. P. 33(a) and Notes of Advisory Committee on 1993 amendments. For example, incorporating the definitions and instructions into the interrogatory requests would far exceed the discovery limitations. UUSI has therefore renumbered the Interrogatories through the use of brackets “[ ]” as required under Fed. R. Civ. P. 33(a) in which each discrete subpart shall be counted as a separate interrogatory, with renumbering indicated in brackets. On this basis, UUSI reserves the right to object to future interrogatories to the extent that they violate the “25 in number, including all discrete subparts” provision of Fed. R. Civ. P. 33(a).

6. UUSI objects to the Interrogatories to the extent they are compound, phrased disjunctively or conjunctively, or includes subparts in such a manner that is unduly burdensome, confusing, or cannot be reasonably answered.

7. UUSI objects to the Interrogatories to the extent they seek the bases of contentions that are dependent upon discoverable information in the custody and control of others, including Brose. UUSI has not completed preparation for trial. The answers, responses, and objections herein are made without prejudice to the right of UUSI to produce evidence of any additional facts and to rely on additional bases for any contention.

8. UUSI objects to the Interrogatories to the extent they seek confidential information or proprietary information pertaining to UUSI's business, trade secrets and/or economic relationships absent entry of a suitable Protective Order to govern the production and disclosure of such information. UUSI makes its answers to the Interrogatories on the good faith basis that outside counsel for Brose will hold UUSI's answers as "Highly Confidential – Outside Attorneys' Eyes Only" until a Protective Order is in place.

9. UUSI objects to the Interrogatories to the extent they are overly broad, unduly burdensome, unreasonably oppressive, or designed solely to harass, embarrass, or annoy.

10. UUSI objects to the Interrogatories to the extent they require UUSI to examine every document or piece of information possibly within UUSI's possession, including documents and information far beyond the scope and spirit of the law governing this discovery.

11. UUSI objects to the Interrogatories to the extent they are ambiguous and too vague to adequately apprise UUSI of what information is being sought or to permit UUSI to furnish such information with reasonable diligence.

12. UUSI objects to the Interrogatories to the extent they request information not limited by a proper time frame and therefore seek information which is not relevant to this action, which would be unduly burdensome to produce, and which is not reasonably calculated to lead to the discovery of admissible evidence.

13. UUSI objects to the Interrogatories to the extent they request information not within Defendants' knowledge, possession, custody or control.

### **RESERVATION**

14. The following answers, responses, and objections are based upon information and writings presently available to and located by UUSI and its attorneys. UUSI's study, internal investigation and preparation for trial in this matter is not complete as of the date of these Answers. UUSI does not purport to state anything more than information presently known or discovered. It is anticipated that further discovery, investigation, research and analysis may supply information, evidence, documents and/or facts and add meaning to known facts, as well as establish entirely new factual conclusions and legal contentions, all of which may lead to substantial additions to, changes in, and variations from the responses set forth herein. UUSI reserves the right to continue discovery in this matter and to continue its investigation for facts, witnesses, and supporting data that may reveal information which, if it had presently been within UUSI's possession and knowledge, would have been included in these responses to the extent that said information is not objectionable and/or available. The answers, responses, and objections herein are made without prejudice to the right of UUSI to produce evidence of any additional facts. UUSI may supplement its answers and responses based on the foregoing as necessary or required by the Federal Rules of Civil Procedure, the Local Rules of this Court, and/or Court order.

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