

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP  
101 CALIFORNIA STREET, SUITE 2300  
SAN FRANCISCO, CALIFORNIA 94111

1 KASOWITZ, BENSON, TORRES & FRIEDMAN LLP  
CHARLES N. FREIBERG (SBN 70890)  
2 BRIAN P. BROSNAHAN (SBN 112894)  
JACOB N. FOSTER (SBN 250785)  
3 101 California Street, Suite 2300  
San Francisco, California 94111  
4 Telephone: (415) 421-6140  
Facsimile: (415) 398-5030

5 LEVINE & MILLER  
6 HARVEY R. LEVINE (SBN 61879)  
CRAIG A. MILLER (SBN 116030)  
7 LEVINE & MILLER  
550 West C Street, Suite 1810  
8 San Diego, CA 92101-8596  
Telephone: (619) 231-9449  
9 Facsimile: (619) 231-8638

10 Attorneys for Plaintiffs  
JOYCE WALKER, KIM BRUCE HOWLETT,  
11 and MURIEL SPOONER, on behalf of themselves  
and all others similarly situated

12  
13 UNITED STATES DISTRICT COURT  
14 CENTRAL DISTRICT OF CALIFORNIA

15  
16 JOYCE WALKER, KIM BRUCE  
HOWLETT, and MURIEL SPOONER, on  
17 behalf of themselves and all others similarly  
situated,

18 Plaintiffs,

19 v.

20 LIFE INSURANCE COMPANY OF THE  
SOUTHWEST, a Texas corporation,

21 Defendant.  
22  
23

**CLASS ACTION**

CASE NO.: CV 10-9198 JVS (RNBx)

Formerly Case No.: 3:10-cv -04852 JSW  
from Northern District of California

**PLAINTIFFS JOYCE WALKER, KIM  
BRUCE HOWLETT, AND MURIEL  
SPOONER'S NINTH SET OF  
REQUESTS FOR PRODUCTION OF  
DOCUMENTS TO DEFENDANT LIFE  
INSURANCE COMPANY OF THE  
SOUTHWEST**

Judge: Hon. James V. Selna  
Courtroom: 10C

25  
26  
27  
28

**PLAINTIFFS JOYCE WALKER, KIM BRUCE HOWLETT, AND MURIEL SPOONER'S NINTH SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS TO DEFENDANT LIFE INSURANCE COMPANY OF THE SOUTHWEST**

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, plaintiffs Joyce Walker, Kim Bruce Howlett, and Muriel Spooner ("Plaintiffs") hereby request that defendant Life Insurance Company of the Southwest respond in writing in the manner and within the time required by Rule 34 and produce the documents and other tangible things described below for inspection and copying at the law offices of Kasowitz, Benson, Torres & Friedman LLP, 101 California Street, Suite 2300, San Francisco, California 94111, thirty (30) days from service hereof.

**DEFINITIONS**

1. "YOU," "YOUR," or "LSW" means, without limitation, defendant Life Insurance Company of the Southwest and also includes the predecessors, successors, parents, affiliates, divisions, area or regional offices, managing agents, directors, officers, employees, attorneys, or any representatives of defendant Life Insurance Company of the Southwest.

2. "DOCUMENT" includes, without limitation, documents, electronically stored information, and tangible things as described in Rule 34(a)(1)(A)-(B) of the Federal Rules of Civil Procedure.

3. "COMMUNICATION" means any contact, transmission, or exchange of information between two or more persons, orally, in writing, or electronically, including, without limitations, any conversation or discussion whether by chance or prearranged, formal or informal, face to face, by telephone, fax, electronic, or other media.

4. "LSW POLICYHOLDER" means any owner or former owner of indexed universal life insurance policies sold or marketed by LSW in California from 2004 to the present, including but not limited to the SecurePlus Provider policy and the SecurePlus Paragon policy.

5. "PLAINTIFFS' LETTER" means a letter sent by Brian Brosnahan to LSW POLICYHOLDERS. An example of PLAINTIFFS' LETTER is attached hereto as Exhibit A. PLAINTIFFS LETTER expressly includes, but is not limited to, any copy of Exhibit A sent to a different addressee and/or sent on a different date.

6. "LSW'S LETTER" means a letter sent by Ruth B. Smith or any other

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP  
101 CALIFORNIA STREET, SUITE 2300  
SAN FRANCISCO, CALIFORNIA 94111

1 representative acting on behalf of LSW to LSW POLICYHOLDERS regarding PLAINTIFFS'  
2 LETTER. An example of LSW'S LETTER is attached hereto as Exhibit B. LSW'S LETTER  
3 expressly includes, but is not limited to, any copy of Exhibit B sent to a different addressee  
4 and/or sent on a different date.

5 7. All of the terms defined above have the same meanings in the plural as they have  
6 in the singular.

7 **INSTRUCTIONS**

8 1. To the extent that you refuse to produce any DOCUMENT requested by Plaintiffs  
9 on the ground that the DOCUMENT is protected from discovery by the work product doctrine,  
10 the attorney-client privilege, or any other privilege or doctrine, provide a log identifying the  
11 DOCUMENT (by stating its subject, title, date, author or signatory, and recipient or recipients)  
12 and stating the privilege or privileges claimed, in accordance with Rule 26(b)(5)(A) and any  
13 stipulations of the parties governing discovery.

14 2. If YOU do not have within your possession, custody or control any  
15 DOCUMENTS responsive to a particular Request, YOUR response to that Request should so  
16 state.

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP  
101 CALIFORNIA STREET, SUITE 2300  
SAN FRANCISCO, CALIFORNIA 94111

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28