

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Office of the Attorney General**



Civil Litigation Division  
Section II

**VIA FACSIMILE & 1<sup>ST</sup> CLASS MAIL**

Jude Iweanoge, Esq.  
The Iweanoges' Firm  
1026 Monroe Street, NE  
Washington, DC 20017-1760

April 17, 2007

Re: *Howard Tafler v. District of Columbia, et al.*, C.A. No. 05-1563 (PLF)

Dear Mr. Iweanoge:

Thank you for producing your client's responses to Defendants' Interrogatories and Requests for Production of Documents. While we were pleased to finally receive this information, a number of Plaintiff's responses were evasive, non-responsive, or otherwise deficient. These deficiencies are detailed below. As a preliminary matter, please note that LCvR 26.2(d) requires that responses to Interrogatories "shall identify and quote each interrogatory or request in full immediately preceding the answer, response or objection thereto." Your responses did not comply with the Local Rules.

With respect to Interrogatory Number 5, Defendants asked that Plaintiff not only identify individuals with information regarding the incident and Plaintiff's alleged damages, but also to "state briefly the matters to which each [individual] will testify." Plaintiff has not indicated the substance of the proffered testimony of the individuals. Accordingly, please respond fully to this Interrogatory.

In response to Interrogatory Number 6, Plaintiff indicates his belief that the involved officers did not follow "proper protocol/procedure in apprehending me and denying me proper treatment." Please specify the protocols/procedures Plaintiff contends were not followed.

Plaintiff's response to Interrogatory 10 is non-responsive and your objection is without merit. Plaintiff appears to be claiming personal injuries for a fall that occurred three years after the incident underlying his Complaint in the above-referenced action. If Plaintiff is attempting to seek damages for multiple injuries, then he can surely describe the testing performed on the areas of his body he claims were injured by Defendants. Please respond to Interrogatory Number 10.

Similarly, with respect to Interrogatory Number 11, while Plaintiff claims that he has suffered emotional injury as a result of the incident, Plaintiff has refused to provide any details regarding this treatment in his Interrogatory responses. Plaintiff cannot simply make allegations and then not provide the testimony or documentation to support them. Please fully respond to Interrogatory Number 11.

With respect to Interrogatory Number 14, Plaintiff's response is incomplete. The Interrogatory expressly asks that if Plaintiff intends to attempt to prove a claim of violation of constitutional rights based upon allegations of deliberate indifference on the part of policymakers, to identify the alleged policymakers. Plaintiff has not done so. The Interrogatory also asks Plaintiff to "identify and describe any and all incidents upon which you rely to support such allegations." Plaintiff has not done so. Finally, the Interrogatory requests that Plaintiff "identify all witnesses who you contend support such a claim and summarize the information possessed by each witness that supports such a claim." Plaintiff has not done so. Similarly, Plaintiff has failed to respond to Interrogatory Number 15 in the same manner. Please provide complete responses to Interrogatories 14 and 15.

Interrogatory Number 16 asks that Plaintiff "[i]dentify any statutes, regulations and/or orders of the District of Columbia that you claim are evidence of an unconstitutional custom and/or policy on the part of the District of Columbia." Rather than respond to this question, Plaintiff simply refers to his response to Interrogatory Number 14, where he does not identify any statutes, regulations or orders of the District of Columbia. If Plaintiff does not intend to argue that any statute, regulation or order of the District of Columbia constitutes evidence of an unconstitutional custom or policy of the District, then Plaintiff should so state. Otherwise, please respond fully to this Interrogatory.

Interrogatory Number 22 asks that Plaintiff describe his work history for the past ten years to date. While Plaintiff refers to being "a waiter in many restaurants over the years," he only provides the name of one restaurant that he worked in as of the date of the incident. Plaintiff does not even provide his dates of employment at this restaurant, nor does he name any other business at which he was employed. Please respond fully to this Interrogatory.

Because discovery closes at the end of May, it is essential that Defendants receive complete responses to their discovery requests within ten (10) days. If you wish to discuss this further, please call me at (202) 724-6534.

Sincerely,

LINDA SINGER  
Attorney General for the District of Columbia

BY:  
Shana L. Frost  
Assistant Attorney General