

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON)
)
 K-Con, Inc.,)
 _____)
 Plaintiff,)
 vs.)
)
 King Street Enterprises, LLC and Ohio)
 Imaging Associates, Inc.,)
 _____)
 Defendant.)

IN THE COURT OF COMMON PLEAS
 NINTH JUDICIAL CIRCUIT
 CASE NO.: 2018-CP-10-3825

**MOTION AND ORDER INFORMATION
 FORM AND COVERSHEET**

Plaintiff's Attorney: William A. Scott, Bar No. 15148 Address: Pedersen & Scott, P.C., 775 St. Andrews Blvd., Charleston, SC 29407 Phone: 843-556-5656 Fax 843-556-5635 E-mail: bscott@pslawpc.com Other: _____	Defendant's Attorney: Brent S. Halversen, Bar No. _____ Address: Brent Souther Halversen, LLC, 751 Johnnie Dodds Blvd., Suite 200, Mt. Pleasant, SC 29464 Phone: 843-284-5790 Fax: 864-326-4844 E-mail: brent@halversenlaw.com Other: _____
---	---

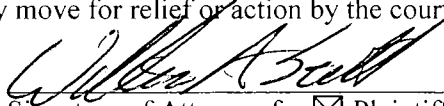
MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)
 FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)
 PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)

SECTION I: Hearing Information

Nature of Motion: Compel
 Estimated Time Needed: 15 mins Court Reporter Needed: YES / NO

SECTION II: Motion/Order Type

Written motion attached
 Form Motion/Order
 I hereby move for relief or action by the court as set forth in the attached proposed order.


 Signature of Attorney for Plaintiff / Defendant

January 18, 2019
 Date submitted

SECTION III: Motion Fee

PAID - AMOUNT: \$ _____
 EXEMPT:

(check reason)

Rule to Show Cause in Child or Spousal Support
 Domestic Abuse or Abuse and Neglect
 Indigent Status State Agency v. Indigent Party
 Sexually Violent Predator Act Post-Conviction Relief
 Motion for Stay in Bankruptcy
 Motion for Publication Motion for Execution (Rule 69, SCRCP)
 Proposed order submitted at request of the court; or,
 reduced to writing from motion made in open court per judge's instructions
 Name of Court Reporter: _____
 Other: _____

JUDGE'S SECTION	
<input type="checkbox"/> Motion Fee to be paid upon filing of the attached order. <input type="checkbox"/> Other: _____	JUDGE CODE _____ Date: _____

CLERK'S VERIFICATION

Collected by: _____ Date Filed: _____
 MOTION FEE COLLECTED: \$ _____
 CONTESTED - AMOUNT DUE: \$ _____

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT
CASE NO. 18-CP-10-3825

K-CON, INC.,

Plaintiff,

v.

KING STREET ENTERPRISES, LLC, and
OHIO IMAGING ASSOCIATES, INC.,

Defendants.

**NOTICE OF MOTION
AND MOTION TO COMPEL**

FILED
2019 JAN 22 PM 1:56
JULIE J. ARMSTRONG
CLERK OF COURT
BY *[Signature]*

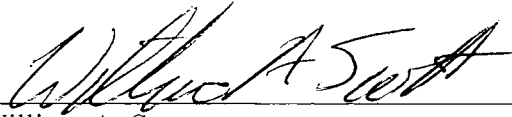
YOU WILL PLEASE TAKE NOTICE that the undersigned will, within ten (10) days or as soon thereafter as counsel may be heard, move before this Court for an Order compelling Defendants, King Street Enterprises, LLC and Ohio Imaging Associates, Inc., to adequately respond to Plaintiff's First Set of Interrogatories and Requests for Production of Documents to Defendants and an order directing Defendants to pay Plaintiff's reasonable expenses incurred in filing this motion and obtaining this Order.

Plaintiff served Defendants' counsel with Plaintiff's First Set of Interrogatories, Requests for Production of Documents, and Requests for Admissions to King Street Enterprises, LLC and Ohio Imaging Associates, Inc. on October 9, 2018 (attached hereto as Exhibit A). Defendants provided responses to Plaintiff's Request for Admissions on November 8, 2018; however, the responses to Plaintiff's First Set of Interrogatories and Requests for Production of Documents have not been received.

In accordance with Rule 11 SCRPC, I affirm that on January 9, 2019, I communicated with Defendants' counsel and have attempted in good faith to resolve the matter contained in this Motion.

Respectfully submitted,

PEDERSEN & SCOTT, P.C.

A handwritten signature in black ink, appearing to read "William A. Scott", written over a horizontal line.

William A. Scott
775 St. Andrews Boulevard
Charleston, SC 29407
Tel. 843-556-5656
Fax. 843-556-5635
Email: bscott@pslawpc.com

ATTORNEY FOR PLAINTIFF

Dated this 18th day of January, 2019

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT
CASE NO. 18-CP-10-3825

K-CON, INC.,

Plaintiff,

v.

KING STREET ENTERPRISES, LLC, and
OHIO IMAGING ASSOCIATES, INC.,

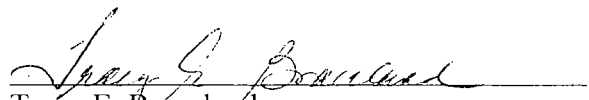
Defendants.

FILED
2019 JAN 22 PM 1:57
JULIE J. ARMSTRONG
CLERK OF COURT

CERTIFICATE OF SERVICE

The undersigned paralegal at Pedersen & Scott, P.C., hereby certifies that a copy of the NOTICE OF MOTION AND MOTION TO COMPEL in the above-captioned matter has been emailed and placed in an envelope, and addressed and mailed via U.S. Mail to:

Brent Halversen, Esq.
Brent Souther Halversen, LLC
751 Johnnie Dodds Blvd., Suite 200
Mount Pleasant, SC 29464


Tracy E. Braceland
Paralegal

Dated this 18th day of January, 2019

PEDERSEN & SCOTT, P.C.

ATTORNEYS AT LAW

P 843-556-5656
F 843-556-5635
bscott@pslawpc.com

October 9, 2018

Via Email and First-Class Mail

Brent Halversen, Esq.
Halversen & Associates, LLC
171 Church Street, Suite 330
Charleston, SC 29401

Re: K-Con, Inc. v. King Street Enterprises, LLC and Ohio Imaging Associates, Inc.
C.A. No. 2018-CP-10-3825

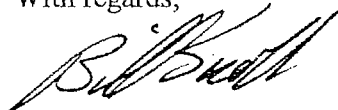
Dear Brent:

Enclosed with respect to the above-referenced matter, please find:

1. Plaintiff's First Set of Interrogatories, Requests for Production of Documents, and Requests for Admission to Defendant, King Street Enterprises, LLC; and
2. Plaintiff's First Set of Interrogatories, Requests for Production of Documents, and Requests for Admission to Defendant, Ohio Imaging Associates, Inc.

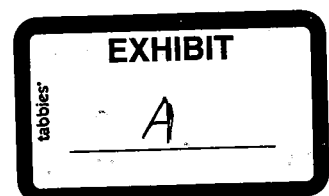
If you have any questions, please do not hesitate to contact me.

With regards,



William A. Scott

WAS/teb
Enclosures
cc: K-Con, Inc. (w/encs.)



STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT
CASE NO. 18-CP-10-3825

K-CON, INC.,

Plaintiff,

v.

KING STREET ENTERPRISES, LLC, and
OHIO IMAGING ASSOCIATES, INC.,

Defendants.

**PLAINTIFF'S FIRST SET OF INTERROGATORIES,
REQUESTS FOR PRODUCTION OF DOCUMENTS, AND REQUESTS FOR
ADMISSION TO DEFENDANT, KING STREET ENTERPRISES, LLC**

The Plaintiff, pursuant to Rules 26, 33, 34 and 36 of the South Carolina Rules of Civil Procedure, requests the above-captioned Defendant, King Street Enterprises, LLC, to respond to the discovery requests. Each discovery request shall be answered separately and fully in writing under oath, unless it is objected to, in which event the reasons for objection shall be stated in lieu of an answer. Pursuant to Rule 36 of the SCRCPP, each specific Request for Admission will be considered admitted unless, within 30 days after service of the request, the Defendant serves written answers or objections addressed to each Request for Admission, and signed by the party or by his attorney. If objection is made, the reasons therefore shall be stated. The answer shall specifically deny the matter or set forth in detail the reasons why the answering party cannot truthfully admit or deny the matter. A denial shall fairly meet the substance of the requested admission, and when good faith requires that a party qualify his answer or deny only a part of the matter of which an admission is requested, he shall specify so much of it as is true and qualify or deny the remainder. An answering party may not give lack of information or knowledge as a

reason for failure to admit or deny unless he states that he has made reasonable inquiry and that the information known or readily obtainable by him is insufficient to enable him to admit or deny.

Pursuant to Rule 37(c), if you fail to admit the truth of any matter as requested under Rule 36, Plaintiff will prove the genuineness and truth of each Request for Admission and will apply to the court for an order requiring the Plaintiff to pay the reasonable expenses incurred in making that proof, including reasonable attorney's fees.

The answers are to be signed by the person making them, and the objections signed by the attorney making them. Defendant shall serve a copy of the answers, and objections if any, within thirty (30) days after service of these Interrogatories, Requests for Production of Documents.

I. DEFINITIONS

- A. The terms “you” and “your” refer to the Defendant, King Street Enterprises, LLC, and to its present or former agents, attorneys, representatives and all other persons who have acted or purported to act on their behalf pursuant to contract or otherwise in any of the matters covered by these discovery requests, whether or not it is contended that such entity or person had authority to act on behalf thereof.
- B. “Communication” means any oral or written exchange of words, thoughts or ideas with another person(s), whether person to person, in a group, in a meeting, by telephone, letter, telefax, electronic mail, or otherwise, including without limitation any printed, typed, handwritten or other readable document and any tape recording, correspondence, memorandum, report, contract, diary, logbook, minutes, note, study, survey and forecast.
- C. “Document” or “documents” shall have their customary broad meanings and shall include, without limitation, all originals, copies and drafts of all written, typewritten, recorded, transcribed, printed, taped, photographic or graphic matter, however produced or

reproduced, whether sent or received, or neither, including but not limited to, all books, pamphlets, articles, newspapers, press releases, magazines, booklets, circulars, handbooks, manuals, periodicals, letters, memoranda, files, envelopes, notices, instructions, reports, financial reports, records, studies, transcripts, diaries (formal or informal), audited or unaudited financial statements, working papers, questionnaires, notes, notations, charts, lists, comparisons, telegrams, cables, telex messages, communications (including intracorporate communications, and reports, notes, notations and memoranda of, or relating to, telephone conversations and conferences), minutes, transcriptions, correspondence, agreements, graphs, tabulations, analyses, evaluations, tests, projections, opinions or reports, statements, summaries, desk calendars, appointment books, telephone logs, telephone bills, surveys, indices, tapes, computer inputs or outputs, computer memory, computer discs, electronic mail, microfilm, magnetic tapes, photographs, installation guides and instructional material within your possession, custody or control. Different versions of the same documents, including but not limited to, drafts or documents with handwritten notations or marks not found in the original or on other copies are different documents.

- D. "Person" means any natural person as well as any firm, partnership, proprietorship, association, institution, joint venture, corporation, government entity, administrative agency, professional association and any other organization.
- E. "Identify," when used in reference to a natural person, means to provide the person's name, last known home and business addresses, last known home and business telephone numbers, present employer, and job title.

- F. "Identify," when used in referenced to a person that is a corporation, partnership, proprietorship, association, business, or other group, means to provide the person's full name, address, telephone number, form of organization, and a description of its business activities.
- G. "Identify," when used in reference to a document, means to provide a brief description of the document including its date, author, addressee, known recipients, form (that is, letter, invoice, blueprint, etc.), subject matter, length, and the present custodian of each copy of the document having notations unique to such copy.
- H. "Identify," when used in reference to an oral communication, means to state the date of the communication and the place or places where the communication occurred, to identify each person who took part in or heard the communication, to provide a description of the subject matter of the communication, and to identify each document that refers or relates to or evidences the communication.
- I. "Date" refers to the exact day, month, and year, if known, or, if not known, the best approximation, including, as appropriate to the situation, relationship to other events.
- J. "Defendant" shall refer to the defendant named in this litigation and any present or former officers, directors, agents, attorneys, representatives and all other persons who have acted or purported to act on its behalf pursuant to contract or otherwise in any of the matters covered by these discovery requests, whether, or not it is contended that such entity or person had authority to act on behalf thereof.

II. INSTRUCTIONS

- A. In answering these discovery requests, words used in the singular number shall include the plural number and words used in the plural number shall refer to the singular number as

well. Gender is to be wholly disregarded, the neuter referring as well as to the male and female and the male and the female referring to each other as well as to the neuter.

- B. The words “and” or “or” shall be construed conjunctively or disjunctively, as is necessary to make each discovery request inclusive rather than exclusive; and the singular of any word shall include the plural, and plural shall include the singular, as is necessary to make each discovery request inclusive rather than exclusive.
- C. Where identification of each fact relied upon by you with regard to a specified allegation or contention is requested, the response shall state separately which specificity each fact in your knowledge, whether obtained through documents, oral communications (whether or not reduced to writing), personal or professional experience or through any other means, which you believe supports the truth of such allegation.
- D. If you cannot answer any Interrogatory fully, answer it to the extent possible and state the reason(s) for not answering more fully.
- E. If, in answering these discovery requests, you encounter any ambiguity in construing the discovery request, or a definition or instruction relevant to the inquiry contained therein, set forth the matter deemed “ambiguous” and set forth the construction chosen or used in answering the discovery request.
- F. In answering these discovery requests, furnish such information as is available to you, not merely such information as is within your knowledge. This means that you are to furnish information that is known by, available to or in possession of your employees, representatives, servants or agents, including your attorney or any agent or investigator for you or your attorney (unless privileged).

- G. If you claim privilege as grounds for objection to any discovery request, identify:
1. The name and address of the speaker or author of the document;
 2. The date of the communication or document;
 3. The name and address of any person to whom the communication was made or the document was sent or to whom copies were sent or circulated at any time;
 4. The form of communication or document (i.e. letter, memorandum, invoice, contract, etc.);
 5. The title and length of the document;
 6. The names and addresses of any persons currently in possession of the document or copy thereof;
 7. A detailed description of the communication or document; and
 8. The nature of the privileged claimed.
- H. For any document no longer in your custody or control, identify the document, state whether it is missing, lost, destroyed, transferred to others or otherwise disposed of, and identify any person who currently has custody or control of the document or who has knowledge of the contents of the document.
- I. These discovery requests shall be deemed continuing in nature so as to require additional answers if further information is obtained between the time the answers are served and the time of trial.
- J. For all documents produced in response to these discovery requests, identify the particular numbered discovery request to which they are responsive.

III. INTERROGATORIES

1. Give the names, complete addresses, and telephone numbers of persons known to the parties or counsel to be witnesses concerning the facts of the case and indicate whether or not written or recorded statements have been taken from the witnesses and indicate who has possession of such statements.
2. Set forth a list of photographs, plats, sketches or other prepared documents in possession of the party that relate to the claim or defense in this case; and if you will supply it without the necessity of a Motion, please attach a copy of your answers.
3. List the names and complete addresses of any expert witnesses whom the party proposes to use as a witness at the trial of the case.
4. In connection with each expert witness, give the following information:
 - a. State the expert's qualifications;
 - b. State the subject matter on which the expert is expected to testify;
 - c. State the substance of the facts and opinions to which the expert is expected to testify;
and
 - d. A summary of the grounds of each opinion.
5. For each person known to the party or counsel to be a witness concerning the facts of the case, set forth either a summary sufficient to inform the other party of the important facts known to or observed by such witness or provide a copy of any written or recorded statements taken from such witness.
6. State with particularity the basis for the Defendant's defenses to the Complaint, and identify each and every document that supports each defense.
7. Identify each and every member of King Street Enterprises, LLC.

8. Identify each person that has authority to act on behalf of King Street Enterprises, LLC.

IV. REQUESTS FOR PRODUCTION

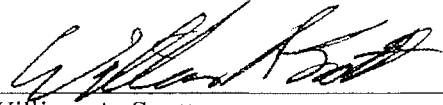
1. Any and all documents referred to in answering the Plaintiff's First Set of Interrogatories.
2. Any and all documents in the possession of the Defendant relating to the subject matter of this litigation.
3. Any and all documents relating to and/or upon which the Defendant bases its defenses to the Complaint.
4. Any and all documents expected to be introduced as evidence in the trial of this case.
5. Any and all contracts, leases, or agreements between King Street Enterprises, LLC and Ohio Imaging Associates, Inc. relating to the property that is the subject matter of this litigation.
6. Any and all leases relating to the premises that is the subject matter of this litigation.
7. Any and all documents relating to advertising or seeking to lease or rent the property that is the subject matter of this litigation.

V. REQUESTS FOR ADMISSION

1. Admit or deny that King Street Enterprises, LLC knew that Ohio Imaging Associates, Inc. was having work performed on the premises that is the subject matter of this litigation.
2. Admit or deny that King Street Enterprises, LLC authorized Ohio Imaging Associates, Inc. to have the work performed on the premises that is the subject matter of this litigation.
3. Admit or deny that King Street Enterprises, LLC is the owner of the premises that is the subject matter of this litigation.
4. Admit or deny that King Street Enterprises, LLC has received a benefit from the improvements to the premises that is the subject matter of this litigation as a result of the

work performed by K-Con.

Respectfully submitted,



William A. Scott
PEDERSEN & SCOTT, P.C.
75 St. Andrews Blvd.
Charleston, SC 29407
Phone: (843) 556-5656
Email: bscott@pslawpc.com
Attorney for Plaintiff K-Con, Inc.

Dated this 9th day of October, 2018

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT
CASE NO. 18-CP-10-3825

K-CON, INC.,

Plaintiff,

v.

KING STREET ENTERPRISES, LLC, and
OHIO IMAGING ASSOCIATES, INC.,

Defendants.

CERTIFICATE OF SERVICE

The undersigned paralegal at Pedersen & Scott, P.C., hereby certifies that a copy of the **PLAINTIFF'S FIRST SET OF INTERROGATORIES, REQUESTS FOR PRODUCTION OF DOCUMENTS, AND REQUESTS FOR ADMISSION TO DEFENDANT, KING STREET ENTERPRISES, LLC** in the above-captioned matter has been emailed and placed in an envelope, and addressed and mailed via U.S. Mail to:

Brent Halversen, Esq.
Brent Souther Halversen, LLC
751 Johnnie Dodds Blvd., Suite 200
Mount Pleasant, SC 29464



Tracy E. Braceland
Paralegal

Dated this 9th day of October, 2018

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT
CASE NO. 18-CP-10-3825

K-CON, INC.,

Plaintiff,

v.

KING STREET ENTERPRISES, LLC, and
OHIO IMAGING ASSOCIATES, INC.,

Defendants.

**PLAINTIFF'S FIRST SET OF INTERROGATORIES,
REQUESTS FOR PRODUCTION OF DOCUMENTS, AND REQUESTS FOR
ADMISSION TO DEFENDANT, OHIO IMAGING ASSOCIATES, INC.**

The Plaintiff, pursuant to Rules 26, 33, 34 and 36 of the South Carolina Rules of Civil Procedure, requests the above-captioned Defendant, Ohio Imaging Associates, Inc., to respond to the discovery requests. Each discovery request shall be answered separately and fully in writing under oath, unless it is objected to, in which event the reasons for objection shall be stated in lieu of an answer. Pursuant to Rule 36 of the SCRCPP, each specific Request for Admission will be considered admitted unless, within 30 days after service of the request, the Defendant serves written answers or objections addressed to each Request for Admission, and signed by the party or by his attorney. If objection is made, the reasons therefore shall be stated. The answer shall specifically deny the matter or set forth in detail the reasons why the answering party cannot truthfully admit or deny the matter. A denial shall fairly meet the substance of the requested admission, and when good faith requires that a party qualify his answer or deny only a part of the matter of which an admission is requested, he shall specify so much of it as is true and qualify or deny the remainder. An answering party may not give lack of information or knowledge as a

reason for failure to admit or deny unless he states that he has made reasonable inquiry and that the information known or readily obtainable by him is insufficient to enable him to admit or deny.

Pursuant to Rule 37(c), if you fail to admit the truth of any matter as requested under Rule 36, Plaintiff will prove the genuineness and truth of each Request for Admission and will apply to the court for an order requiring the Plaintiff to pay the reasonable expenses incurred in making that proof, including reasonable attorney's fees.

The answers are to be signed by the person making them, and the objections signed by the attorney making them. Defendant shall serve a copy of the answers, and objections if any, within thirty (30) days after service of these Interrogatories, Requests for Production of Documents.

I. DEFINITIONS

- A. The terms "you" and "your" refer to the Defendant, Ohio Imaging Associates, Inc., and to its present or former agents, attorneys, representatives and all other persons who have acted or purported to act on their behalf pursuant to contract or otherwise in any of the matters covered by these discovery requests, whether or not it is contended that such entity or person had authority to act on behalf thereof.
- B. "Communication" means any oral or written exchange of words, thoughts or ideas with another person(s), whether person to person, in a group, in a meeting, by telephone, letter, telefax, electronic mail, or otherwise, including without limitation any printed, typed, handwritten or other readable document and any tape recording, correspondence, memorandum, report, contract, diary, logbook, minutes, note, study, survey and forecast.
- C. "Document" or "documents" shall have their customary broad meanings and shall include, without limitation, all originals, copies and drafts of all written, typewritten, recorded, transcribed, printed, taped, photographic or graphic matter, however produced or

reproduced, whether sent or received, or neither, including but not limited to, all books, pamphlets, articles, newspapers, press releases, magazines, booklets, circulars, handbooks, manuals, periodicals, letters, memoranda, files, envelopes, notices, instructions, reports, financial reports, records, studies, transcripts, diaries (formal or informal), audited or unaudited financial statements, working papers, questionnaires, notes, notations, charts, lists, comparisons, telegrams, cables, telex messages, communications (including intracorporate communications, and reports, notes, notations and memoranda of, or relating to, telephone conversations and conferences), minutes, transcriptions, correspondence, agreements, graphs, tabulations, analyses, evaluations, tests, projections, opinions or reports, statements, summaries, desk calendars, appointment books, telephone logs, telephone bills, surveys, indices, tapes, computer inputs or outputs, computer memory, computer discs, electronic mail, microfilm, magnetic tapes, photographs, installation guides and instructional material within your possession, custody or control. Different versions of the same documents, including but not limited to, drafts or documents with handwritten notations or marks not found in the original or on other copies are different documents.

- D. "Person" means any natural person as well as any firm, partnership, proprietorship, association, institution, joint venture, corporation, government entity, administrative agency, professional association and any other organization.
- E. "Identify," when used in reference to a natural person, means to provide the person's name, last known home and business addresses, last known home and business telephone numbers, present employer, and job title.

- F. "Identify," when used in referenced to a person that is a corporation, partnership, proprietorship, association, business, or other group, means to provide the person's full name, address, telephone number, form of organization, and a description of its business activities.
- G. "Identify," when used in reference to a document, means to provide a brief description of the document including its date, author, addressee, known recipients, form (that is, letter, invoice, blueprint, etc.), subject matter, length, and the present custodian of each copy of the document having notations unique to such copy.
- H. "Identify," when used in reference to an oral communication, means to state the date of the communication and the place or places where the communication occurred, to identify each person who took part in or heard the communication, to provide a description of the subject matter of the communication, and to identify each document that refers or relates to or evidences the communication.
- I. "Date" refers to the exact day, month, and year, if known, or, if not known, the best approximation, including, as appropriate to the situation, relationship to other events.
- J. "Defendant" shall refer to the defendant named in this litigation and any present or former officers, directors, agents, attorneys, representatives and all other persons who have acted or purported to act on its behalf pursuant to contract or otherwise in any of the matters covered by these discovery requests, whether, or not it is contended that such entity or person had authority to act on behalf thereof.

II. INSTRUCTIONS

- A. In answering these discovery requests, words used in the singular number shall include the plural number and words used in the plural number shall refer to the singular number as

well. Gender is to be wholly disregarded, the neuter referring as well as to the male and female and the male and the female referring to each other as well as to the neuter.

- B. The words “and” or “or” shall be construed conjunctively or disjunctively, as is necessary to make each discovery request inclusive rather than exclusive; and the singular of any word shall include the plural, and plural shall include the singular, as is necessary to make each discovery request inclusive rather than exclusive.
- C. Where identification of each fact relied upon by you with regard to a specified allegation or contention is requested, the response shall state separately which specificity each fact in your knowledge, whether obtained through documents, oral communications (whether or not reduced to writing), personal or professional experience or through any other means, which you believe supports the truth of such allegation.
- D. If you cannot answer any Interrogatory fully, answer it to the extent possible and state the reason(s) for not answering more fully.
- E. If, in answering these discovery requests, you encounter any ambiguity in construing the discovery request, or a definition or instruction relevant to the inquiry contained therein, set forth the matter deemed “ambiguous” and set forth the construction chosen or used in answering the discovery request.
- F. In answering these discovery requests, furnish such information as is available to you, not merely such information as is within your knowledge. This means that you are to furnish information that is known by, available to or in possession of your employees, representatives, servants or agents, including your attorney or any agent or investigator for you or your attorney (unless privileged).

- G. If you claim privilege as grounds for objection to any discovery request, identify:
1. The name and address of the speaker or author of the document;
 2. The date of the communication or document;
 3. The name and address of any person to whom the communication was made or the document was sent or to whom copies were sent or circulated at any time;
 4. The form of communication or document (i.e. letter, memorandum, invoice, contract, etc.);
 5. The title and length of the document;
 6. The names and addresses of any persons currently in possession of the document or copy thereof;
 7. A detailed description of the communication or document; and
 8. The nature of the privileged claimed.
- H. For any document no longer in your custody or control, identify the document, state whether it is missing, lost, destroyed, transferred to others or otherwise disposed of, and identify any person who currently has custody or control of the document or who has knowledge of the contents of the document.
- I. These discovery requests shall be deemed continuing in nature so as to require additional answers if further information is obtained between the time the answers are served and the time of trial.
- J. For all documents produced in response to these discovery requests, identify the particular numbered discovery request to which they are responsive.

III. INTERROGATORIES

1. Give the names, complete addresses, and telephone numbers of persons known to the parties or counsel to be witnesses concerning the facts of the case and indicate whether or not written or recorded statements have been taken from the witnesses and indicate who has possession of such statements.
2. Set forth a list of photographs, plats, sketches or other prepared documents in possession of the party that relate to the claim or defense in this case; and if you will supply it without the necessity of a Motion, please attach a copy of your answers.
3. List the names and complete addresses of any expert witnesses whom the party proposes to use as a witness at the trial of the case.
4. In connection with each expert witness, give the following information:
 - a. State the expert's qualifications;
 - b. State the subject matter on which the expert is expected to testify;
 - c. State the substance of the facts and opinions to which the expert is expected to testify;
and
 - d. A summary of the grounds of each opinion.
5. For each person known to the party or counsel to be a witness concerning the facts of the case, set forth either a summary sufficient to inform the other party of the important facts known to or observed by such witness or provide a copy of any written or recorded statements taken from such witness.
6. State with particularity the basis for the Defendant's defenses to the Complaint, and identify each and every document that supports each defense.
7. State with particularity the basis for the Defendant's counterclaims, and identify each and

every document that supports each counterclaim.

8. Identify the shareholders of Ohio Imaging Associates, Inc. by name and address.
9. Identify each and every person that had authority to act on behalf of Ohio Imaging Associates, Inc. in connection with the work performed by Plaintiff on the property that is the subject matter of this litigation.
10. State the date, by month, day and year, that Ohio Imaging Associates, Inc. contends the project was substantially complete.
11. State with particularity why Ohio Imaging Associates, Inc. contends the project was considered to be substantially complete on the date set forth in its Answer to Interrogatory No. 10.
12. State specifically and with particularity what work Ohio Imaging Associates, Inc. contends Plaintiff failed to complete in accordance with the contract, and state why Ohio Imaging Associates, Inc. contends that any such work does not meet the contract requirements.
13. Identify any and all work that Ohio Imaging Associates, Inc. contends is defective, state with particularity why such work is defective, and identify the standard of care that was not met, what manufacturer requirements were not met, and/or what building code was not met.
14. Identify what work, if any, Ohio Imaging Associates, Inc. contends that it was required to fix or repair as a result of Plaintiff's actions, identify when any such work was performed, state how much it cost to perform the work, and state why Ohio Imaging Associates, Inc. contends Plaintiff is responsible for the cost.

15. State with particularity and identify what damages Ohio Imaging Associates, Inc. claims it is entitled to, and provide a breakdown of damages by actual damages, delay damages, liquidated damages, consequential damages, incidental damages, and any other damages that are claimed.
16. State with particularity the date that Ohio Imaging Associates, Inc. contends liquidated damages began to accrue.
17. State with particularity the date that Ohio Imaging Associates, Inc. contends liquidated damages ended, and state why the assessment of liquidated damages ended on that date.

IV. REQUESTS FOR PRODUCTION

1. Any and all documents referred to in answering the Plaintiff's First Set of Interrogatories.
2. Any and all documents in the possession of the Defendant relating to the subject matter of this litigation.
3. Any and all documents relating to and/or upon which the Defendant bases its defenses to the Complaint.
4. Any and all documents expected to be introduced as evidence in the trial of this case.
5. Any and all contracts, leases, or agreements between King Street Enterprises, LLC and Ohio Imaging Associates, Inc. relating to the property that is the subject matter of this litigation.
6. Any and all leases relating to the premises that is the subject matter of this litigation.
7. Any and all documents relating to advertising or seeking to lease or rent the property that is the subject matter of this litigation.
8. Any and all documents supporting the damages claimed by Ohio Imaging Associates, Inc. in its counterclaim.

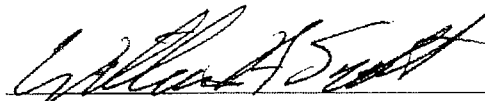
9. Any and all documents relating to when Ohio Imaging Associates, Inc. took possession of the property that is the subject matter of this litigation from Plaintiff.
10. Any and all correspondence between Dr. Cook and Mrs. Cook relating to the work performed by Plaintiff.
11. Any and all documents of any type whatsoever relating to the work performed by the Plaintiff on the property that is the subject matter of this litigation.
12. Any and all documents between Dr. Cook, Mrs. Cook, any other entity acting on behalf of Ohio Imaging Associates, Inc., and any other entity relating to the work performed by the Plaintiff on the property that is the subject matter of this litigation.
13. If you deny Request for Admissions 1 and/or 2, identify the drawing and the detail that shows an access door, and/or state specifically the contract requirement, by page and paragraph number, that requires an access door for the conference room.

V. REQUESTS FOR ADMISSION

1. Admit or deny that the drawings provided by Ohio Imaging Associates, Inc. do not show an access control on the door to the conference room.
2. Admit or deny that the contract does not require an access control on the door to the conference room.
3. Admit or deny that Paragraph 15.4 of Plaintiff's proposal states, "(1) 30 gallon HWH instead of individual HWH's for each restroom."
4. Admit or deny that Dr. Cook directed Plaintiff not to install a hot water heater.
5. Admit or deny that Dr. Cook directed Plaintiff to install three insta-heaters instead of the one hot water heater.

6. Admit or deny that Plaintiff installed the three insta-heaters as directed to be installed by Dr. Cook.
7. Admit or deny the City of Charleston issued a Certificate of Completion on April 30, 2018.
8. Admit or deny that Ohio Imaging Associates, Inc. began moving equipment, including a refrigerator, into the space on April 30, 2018.
9. Admit or deny that Ohio Imaging Associates, Inc. began moving furniture into the space on May 1, 2018.
10. Admit or deny that Ohio Imaging Associates, Inc. began installing computers in the space on May 2, 2018.
11. Admit or deny that Ohio Imaging Associates, Inc. had control of access to the premises that is the subject matter of this litigation as of May 1, 2018.

Respectfully submitted,



William A. Scott
PEDERSEN & SCOTT, P.C.
75 St. Andrews Blvd.
Charleston, SC 29407
Phone: (843) 556-5656
Email: bscott@pslawpc.com
Attorney for Plaintiff K-Con, Inc.

Dated this 9th day of October, 2018

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT
CASE NO. 18-CP-10-3825

K-CON, INC.,

Plaintiff,

v.

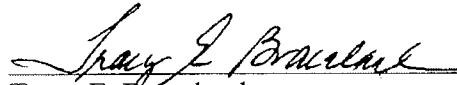
KING STREET ENTERPRISES, LLC, and
OHIO IMAGING ASSOCIATES, INC.,

Defendants.

CERTIFICATE OF SERVICE

The undersigned paralegal at Pedersen & Scott, P.C., hereby certifies that a copy of the **PLAINTIFF'S FIRST SET OF INTERROGATORIES, REQUESTS FOR PRODUCTION OF DOCUMENTS, AND REQUESTS FOR ADMISSION TO DEFENDANT, OHIO IMAGING ASSOCIATES, INC.** in the above-captioned matter has been emailed and placed in an envelope, and addressed and mailed via U.S. Mail to:

Brent Halversen, Esq.
Brent Souther Halversen, LLC
751 Johnnie Dodds Blvd., Suite 200
Mount Pleasant, SC 29464



Tracy E. Braceland
Paralegal

Dated this 9th day of October, 2018

PEDERSEN & SCOTT, P.C.
ATTORNEYS AT LAW

P 843-556-5656
F 843-556-5635
bscott@pslawpc.com

January 18, 2019

The Honorable Julie J. Armstrong
Charleston County Clerk of Court
100 Broad Street, Suite 106
Charleston, SC 29401

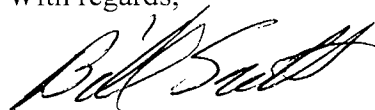
RE: K-Con, Inc. v. King Street Enterprises, LLC and Ohio Imaging Associates, Inc.
C.A. No. 2018-CP-10-3825

Dear Ms. Armstrong:

Enclosed for filing in the above-referenced matter, please find an original and one copy of the Motion Slip and Notice of Motion and Motion to Compel, together with a check in the amount of \$25.00. Please file the original and return a stamped-in copy in the enclosed return addressed stamped envelope.

Your assistance in this matter is greatly appreciated. Please call me if you have any questions.

With regards,



William A. Scott

WAS/teb

Enclosures

cc: K-Con, Inc. (w/encs.)
Brent S. Halversen, Esq. (w/encs.)