

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
MUNICIPAL DEPARTMENT – FIRST DISTRICT

<<PLAINTIFF>>, )  
)  
)  
Plaintiff/Counterdefendant, )  
)  
-vs- ) NO. <<CIRCUITCOURTNO>>  
)  
<<DEFENDANT>> and all Unknown )  
Occupants, )  
)  
Defendant/Counterplaintiff. )

**DEFENDANT, COUNTERPLAINTIFF'S FIRST SET OF INTERROGATORIES TO PLAINTIFF, COUNTER DEFENDANT**

TO: <<Attorney For Landlord>>  
<<Add1LandlordAtty>>  
<<Add2LandlordAtty>>  
Chicago, IL <<Zip>>

The undersigned Defendant, Counterplaintiff by Defendants, CounterPlaintiff's attorney, Paul Bernstein, pursuant to Supreme Court Rule 213 and the Illinois Code of Civil Procedure, propounds the following Interrogatories to be answered by Plaintiff, Counter defendant under oath, within twenty-eight (28) days after service of these Interrogatories, or such earlier date as provided by Order of Court entered in these proceedings.

I. DEFINITIONS AND INSTRUCTIONS

1. In answering these Interrogatories, you must furnish all information that is known or available to you, regardless of whether such information is possessed directly by you. If any of these Interrogatories cannot be answered completely, you must answer to the extent possible, specifying the reason for the inability to answer the remainder and stating whatever information, knowledge, or belief you have concerning the unanswered portion. Where any Interrogatory or portion thereof is not answered because of any claim of privilege, identify the Interrogatory or portion thereof and the nature of the asserted privilege.

2. The word "document(s)" means, without limitation, the following items whether printed, typed, handwritten, recorded, stored or reproduced by any process, or otherwise prepared, including originals, copies and copies not identical to the original (e. g. , because handwritten notes appear thereon or are attached thereto) which are in the possession, custody or control of you, your attorneys, apartment managers, agents or anyone acting on your behalf: leases, contracts, draft leases or contracts, lease applications, credit reports, financial statements, correspondence, including telegrams and letters; communications, including interoffice and

intra-corporate communications; instructions; memoranda, including memoranda of telephonic and personal conversations; notations; reports; newspaper articles; advertisements; brochures; posters; pamphlets; studies; price lists; surveys; accounts receivable; ledgers; estimates; records, including sales records; schedules; sales projections; summaries, including summaries of records, meetings, and conversations; diaries; invoices; minutes of meetings; data sheets; shipping tickets; bills of lading; samples; prototypes; graphic materials, including motion pictures, video tapes, drawings, photographs, sketches, graphs and charts; tape and sound recordings; computer tapes and printouts; and other data compilations from which information can be obtained and insurance policies and correspondence with fire insurance companies, insurance brokers and insurance adjusters.

3. In answering such Interrogatory, you should identify each document which forms a basis for the answer given or in any way corroborates the answer given or the substance of the answer given. In identifying each such document, include the date, author, the name and title of every addressee, including every recipient of copies, the title of the document, and a brief description of its nature (e.g., letter, telegram), and the contents of each document. Every document to be so identified may be produced for inspection in lieu of such identification.

4. As used herein, "identify" or "identification" means:

(i) When used in reference to a natural person, that person's full name and present or last known address, that person's present or last known title or position and business affiliation during the period covered by these Interrogatories;

(ii) When used in reference to any entity other than a natural person, that entity's official name or designation, its present address, its principal place of business, and its place and date of incorporation;

(iii) When used in reference to documents, the date of the document, the name and address of the person or persons preparing or writing the same and of the person or persons to whom the document was addressed, the person or entity with which said addressee was connected at the date of the document, the name and address of the custodian of the original document and whether or not you are in possession of a copy of their document. If any such document was, but is no longer in your possession or subject to your control, state what disposition was made of it and the date of such disposition;

(iv) When used in reference to an event, meeting or discussion, the date, time and place thereof and the circumstances of the occurrence which comprised any event, meeting or discussion identified.

5. As used herein, the term "apartment" means: the residential apartment unit occupied by defendant, located at the building referred to in the Plaintiff's complaint.

6. Describe fully by reference to underlying facts rather than ultimate facts or conclusions of law or fact;

7. Particularize as to:
  - (a) date;
  - (b) time;
  - (c) place;
  - (d) manner; and
  - (e) identify of the person, persons or entities involved, including the present residence or business address of such person, persons or entities.
8. The terms "with respect to" or "referring to" or "relating to" or "refer to" or "relate to" or "concerning" mean pertaining to, reporting on, regarding, showing or indicating knowledge of, mentioning, in any manner referring to, either directly or indirectly, or tending to establish or negate a particular fact.
9. The term "person" means all entities, including without limitation all natural persons, proprietorships, associations, companies, partnerships, joint ventures, corporations, trusts and estates and includes agents, employees, officers, directors and related entities.
10. The term "plaintiff" includes any representatives, employees and agents of Plaintiff.
11. The term "premises" means the apartment described in the Plaintiff=s complaint on file in their case.
12. The term "building" means the structure in which the apartment occupied by the Defendant is located as described in the Plaintiff=s complaint on file in their case is a part.

### **INTERROGATORIES**

1. Identify by full name, address, firm, partnership or corporation and title of each person answering these interrogatories and identify in like manner each person consulted with respect to the preparation of answers to these interrogatories, stating for each person which interrogatories he or she answered or was consulted in answering.

ANSWER:

2. If any Landlord=s five, ten or thirty days= notice were served within one year prior to the filing of this, matter please state the following and attach a copy of the original of each and every one of said notices (both the fronts and backs thereof) to your answers to these interrogatories and as to each of said notices, please state:

- (a) Was a particular notice a 5-day, 10-day or 30-day notice?
- (b) Who served the notice on behalf of plaintiff?
- (c) Who received the notice on behalf of Defendant and where was it served?
- (d) On what day and at what time was the notice served?
- (e) Have you attached a copy of the notices to your Answers to their Interrogatory?

ANSWER:

- (a)
- (b)
- (c)
- (d)
- (e)

3. Did the Plaintiff, or to the knowledge of Plaintiff, any agent or representative of Plaintiff receive any verbal or written notices or requests from the Defendant alleging defects or violations of the Chicago Municipal Code or items Defendant requested be repaired by Plaintiff? If the answer to this Interrogatory is “Yes” please provide the following information as to each such notice, request or demand:

- (a) The date and time of each such notice, request or demand.
- (b) If in writing, please attach a copy of such notice, request or demand.
- (c) If verbal, please provide a summary of notice, request or demand.
- (d) The name of the person receiving such notice, request or demand on behalf of Plaintiff.

ANSWER:

- (a)
- (b)
- (c)
- (d)

4. At the time of the filing of the complaint in this case, was the Plaintiff aware of the fact that the Defendant had complained to Plaintiff or Plaintiff's representatives about the need for repairs to Defendant's apartment or the building of which it is a part and/or to the City of Chicago?

ANSWER:

5. If Plaintiff was aware of Defendant's complaint(s) to the City of Chicago at the time of the filing by Plaintiff of the within lawsuit, when did Plaintiff first have such knowledge and how did such fact(s) come to the knowledge of Plaintiff?

ANSWER:

6. Identify all expert witnesses and all other witnesses, if any, which you intend to call or testify on your behalf in this matter, with a statement of the particular facts upon which any such expert or any other witness is expected to testify.

ANSWER:

7. Who is the legal title holder of the building in which Defendant lease an apartment? If a land trust, please provide the full and complete name of the title holding land trust and both the beneficial owners of said trust and those persons holding the power of direction to said land trust.

ANSWER:

8. Is the building now, or has it ever been, the subject matter of administrative proceedings initiated by or under the auspices of the City of Chicago Building Department or any other agency of the City of Chicago, alleging violations of the Municipal Code of the City of Chicago in regard to building code violations, or has the City of Chicago alleged that there are building code violations present at the building?

ANSWER:

9. If the answer to Interrogatory immediately above is "yes", please attach copies of all City notice of violations and all correspondence of any kind or nature whatsoever between Plaintiff and said agency of the City of Chicago.

ANSWER:

10. State the names and positions of each person who made or participated in the decision to terminate defendant's tenancy.

ANSWER:

11. State the name and street address of the bank where the security deposit of Defendant is presently on deposit, the name of the account and the account number at said bank.

ANSWER:

Defendant, Counterplaintiff

By: \_\_\_\_\_  
Defendant's Attorney

Paul Bernstein,  
Counsel for Defendant, Counterplaintiff  
333 E. Ontario St. – Ste. #2102B  
Chicago, IL 60611  
(866) 769-2892  
Atty. No. 26707

**CERTIFICATE OF MAILING**

Under penalties as provided by law pursuant to 735 ILCS 5/1-109 of the Code of Civil Procedure, the undersigned attorney for Defendant, Counterplaintiff, certify that I caused a copy of the foregoing **INTERROGATORIES TO PLAINTIFF, COUNTER DEFENDANT**, to be mailed to the attorney listed above, by personally depositing same in the U.S. Postal Mailbox located on the ground floor of the Richard J. Daley Center, Chicago, Illinois, before 5:00 p.m. on <<MailingDate>> with proper postage pre-paid.

---

Paul Bernstein, Counsel For Defendant,  
Counterplaintiff

Paul Bernstein,  
Counsel for Defendant, Counterplaintiff  
333 E. Ontario St. – Ste. #2102B  
Chicago, IL 60611  
(866) 769-2892  
Atty. No. 26707

C:\Fleischer

Ron\Defendant\_\_Counterplaintiff\_s\_First\_Set\_of\_Interrogatories\_to\_Plaintiff\_\_Counter\_Defendant.doc