

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF THE STATE OF OKLAHOMA

JANNIE LIGONS, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. CIV-16-184-HE
)	
CITY OF OKLAHOMA CITY,)	
a municipal corporation, et al.,)	
)	
Defendants.)	

PLAINTIFF KALA LYLES' RESPONSES TO DEFENDANT OKLAHOMA CITY, CITY, AND GREGORY'S INTERROGATORIES, REQUEST FOR PRODUCTION OF DOCUMENTS, AND REQUEST FOR ADMISSIONS

Plaintiff Kala Lyles ("Plaintiff" or "Ms. Lyles"), through her attorneys of record Benjamin L. Crump, Melvin C. Hall, and Damario Solomon-Simmons herein submits her responses to Defendants Oklahoma City, ("OKC"), Bill City ("City"), and Rocky Gregory's ("Gregory") interrogatories, request for production of documents request for admissions, and, and submits her objections, as follows:

GENERAL OBJECTIONS AND LIMITATIONS TO RESPONSES

The following objections and conditions qualify each and every response of Plaintiff to Defendant's requests for admissions, interrogatories and requests for production (collectively, "discovery requests"), and are incorporated by this reference into each and every response of Plaintiff to Defendant's discovery requests, as if fully set forth therein:

1. Plaintiff objects to the definitions and instructions contained in Defendant's discovery requests to the extent that they attempt to impose obligations or requirements upon Plaintiff beyond those posed by the applicable statutes and rules of procedure.

Plaintiff will respond to Defendant's discovery requests in accordance with the applicable statute and rules of procedure.

2. Each of the following responses are made subject to and without waiving any objections. Plaintiff may have with respect to the subsequent use of these responses or the documents identified pursuant thereto, and Plaintiff specifically reserves: (a) all questions as to the privilege, relevancy, materiality, and admissibility of said responses or documents; (b) the right to object to the uses of said responses or the documents identified pursuant thereto in any lawsuit or proceeding on any or all of the foregoing grounds or on any other proper ground; (c) the right to object on any and all proper grounds, at any time, to other discovery procedures involving or related to said responses or documents; and (d) the right, at any time, upon proper showing, to revise, correct or clarify any of the following Responses.

3. Plaintiff objects to each of Defendant's discovery requests to the extent they call for the disclosure of information which is protected from discovery and privileged for the reason that: (a) is subject to the attorney/client privilege; (b) is covered by the "work product" doctrine; (c) was generated for and in anticipation of litigation or for trial by or for Plaintiff or its representatives, including its attorneys, consultants or agents; and (d) is otherwise privileged or beyond the scope of discovery under the applicable rules and laws.

4. Plaintiff objects to each and every discovery request to the extent it seeks information or the identification of documents concerning any claims or occurrences other than the claims and occurrences set forth in Plaintiff's Complaint for which Plaintiff requests relief.

5. Where the response to an interrogatory propounded by Defendant may be derived or ascertained from the documents which will be produced by Plaintiff and the burden of deriving or ascertaining the response is substantially the same as for Plaintiff, Plaintiff reserves the right to refer Defendant to such documents and records.

6. By responding to the discovery requests of the Defendant, Plaintiff concedes neither the relevancy nor the admissibility of any information or document in response to a specific discovery request and such response does not constitute an admission that such information is probative of any particular issue in this case.

7. Plaintiff reserves the right, as additional information is discovered, analyzed or made available during discovery and during the course of these proceedings, to supplement or revise these Responses to Defendant's discovery requests.

8. Plaintiff objects to the extent the Defendant's discovery requests seek information and documents generated or formulated by persons or entities independent of Plaintiff over whom Plaintiff has no control.

The foregoing objections apply to each and every response herein. By specifically incorporating individual General Objections in any response, Plaintiff expressly does not waive the application of the remainder of the General Objections and Limitations to Responses to such response. Subject to these objections and subject to any additional objections set forth, hereinafter, Plaintiff responds to Defendant's discovery requests as follows:

RESPONSE TO INTERROGATORIES

INTERROGATORY NO. 1: Please state the full name, phone number, and current address of each person who answers or assists (except your attorney or his staff) in answering these interrogatories and that person's relationship to Plaintiff.

Response to Interrogatory No. 1: Kala Shaudae Lyle c/o Melvin C. Hall, 528 NW 12th Street Oklahoma City, OK 73103; (405) 843-9909

INTERROGATORY NO. 2: Please state the name, address and phone number of every person whom Plaintiff expects to call as a witness in the trial of this case and the substance of their expected testimony.

Response to Interrogatory No. 2: Please see Plaintiff's March 1, 2016, Rule 26 Initial Disclosures. As discovery is ongoing, Plaintiff reserves the right to supplement this list.

INTERROGATORY NO. 3: Please identify each and every health care provider, including any mental health care provider, Plaintiff saw for injuries allegedly caused by this incident, the nature of the services provided, and the date of the service.

Response to Interrogatory No. 3: None.

INTERROGATORY NO. 4: Please state the name, address and substance of the testimony of every person whom you expect to call as an expert witness in the trial of this cause, and please furnish these Defendants with a brief substance of the testimony, a *curriculum vitae* and any reports completed by said expert. Further, please furnish these Defendants with a report of said expert(s) pursuant to the requirements of 12 O.S. §3226(B)(3), namely the subject matter on which he is expected to testify; state the

substance of the facts and opinions to which he is expected to testify; and supply a summary of the grounds for each opinion.

Response to Interrogatory No. 4: The use of an expert witness has not yet been determined. Plaintiff will supplement this response when and if an expert witness is retained.

INTERROGATORY NO. 5: Please state what evidence Plaintiff has which supports that:

- a. Defendant Holtzclaw caused the death of Clifton Darnell Armstrong;
- b. that on November 5, 2013, Demetria Campbell complained to the Oklahoma City Police Department (OCPD) that an officer sexually assaulted her that day;
- c. Defendant Gregory conspired with any person to cover up any allegation of sexual assault by:
 1. an OCPD officer or
 2. Defendant Holtzclaw;
- d. that these Defendants were "forced" to accept Ms. Ligons' complaint because a relative of hers is an OCPD officer;
- e. that monitoring the AVL of a patrol car would alert the police department that an officer was sexually assaulting a person; and
- f. the OCPD opened an investigation into Defendant Holtzclaw on or about May 8, 2014 for sexually assaulting a person.

Response to Interrogatory No. 5: Plaintiff is without sufficient knowledge of these events, and therefore is unable to answer.

INTERROGATORY NO. 6: Please state what evidence Plaintiff has which tends to prove Defendant City approved and ratified actions of Defendant Holtzclaw.

Response to Interrogatory No. 6: The ratification was that nothing was done as a result of the sexual assault that was done on Demetria Campbell, and no action was taken after Terri Morris' complaint, until Ms. Jannie Ligons assault did something, that action was taken.

INTERROGATORY NO. 7: Please state the name and address of Plaintiffs employer at the time of this incident.

Response to Interrogatory No. 7: None.

INTERROGATORY NO. 8: Please state Plaintiffs occupation and rate of pay at the time of this incident.

Response to Interrogatory No. 8: None.

INTERROGATORY NO. 9: For any Requests for Admissions you denied, please explain why you have denied it.

Response to Interrogatory No. 9: See specific Request for Admissions.

RESPONSE TO REQUEST FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1: Please produce any statements by any witness or any parties.

Response to RFP No. 1: Produced- See trial transcripts from *State v. Holtzclaw*; Oklahoma County District Court; Case No. CF-2014-5869.

REQUEST FOR PRODUCTION NO. 2: Please produce federal and state income tax returns for the years 2012, 2013 and 2014 for Plaintiff.

Response to RFP No. 2: None.

REQUEST FOR PRODUCTION NO. 3: Please produce any and all medical records and bills for injuries that you allege occurred as a result of this incident.

Response to RFP No. 3: None.

REQUEST FOR PRODUCTION NO. 4: Please produce any and all documents which you have identified that reasonably could be used to prove the allegations in your Complaint.

Response to RFP No. 4: Produced- See trial testimony and exhibits from *State v. Holtzclaw*; Oklahoma County District Court; Case No. CF-2014-5869.

REQUEST FOR PRODUCTION NO. 5: Please execute the attached medical records release.

Response to RFP No. 5: Produced.

REQUEST FOR PRODUCTION NO. 6: Please execute the attached employment records release.

Response to RFP No. 5: Produced.

RESPONSE TO REQUEST FOR ADMISSIONS

REQUEST NO. 1: Please admit that Terri Lynn Morris did not advise the Oklahoma City Police Department (OCPD) that she was sexually assaulted by an OCPD officer until May 24, 2014.

Response to Req. for Admission No. 1: Ms. Lyles is without information regarding Request for Admission No. 1, therefore it is **denied**.

REQUEST NO. 2: Please admit that on May 24, 2014, that Terri Lynn Morris advised Officer J. Thomas that the sexual assault occurred on May 20 or 21, 2014.

Response to Req. for Admission No. 2: Ms. Lyles is without information regarding Request for Admission No. 2, therefore it is **denied**.

REQUEST NO. 3: Please admit that on May 24, 2014, Terri Lynn Morris advised Officer J. Thomas that the sexual assault occurred approximately two (2) blocks from the City Rescue Mission.

Response to Req. for Admission No. 3: Ms. Lyles is without information regarding Request for Admission No. 3, therefore it is **denied**.

REQUEST NO. 4: Please admit that when this claim was assigned to Detective Rocky Gregory on May 27, 2014, that he:

- A. Tried to call the contact number Mrs. Morris left with Officer J. Thomas and it was not a correct number.
- B. Left a message at Chris Sheldon's telephone number for Sheldon to call him.
- C. Called Alma King, who stated she had no idea where Terri Morris was staying.
- D. Called the City Rescue Mission, the Jesus House, the Homeless Alliance and the Salvation Army attempting to find Ms. Morris.
- E. That on May 28, 2014, Detective Gregory called the Assistant Manager of Sooner Haven Apartments and Oklahoma City Housing Authority's head of security.
- F. That on May 30, 2014, Defendant Gregory physically searched several areas of town where he thought Ms. Morris could be located.

G. That on May 30, 2014, Defendant Gregory requested the assistance of Detective Harper of the OCPD Criminal Intelligence Unit in locating Ms. Morris.

H. That on June 3, 2014, an informant advised Detective Gregory that Ms. Morris had been detained.

Response to Req. for Admission No. 4: Ms. Lyles is without information regarding Request for Admission No. 4, therefore it is **denied**.

REQUEST NO. 5: Please admit that on June 3, 2014, Detective Gregory attempted to interview Ms. Morris, who told him:

A. That she did not want to go through with the investigation regarding her claim she was sexually assaulted by an OCPD officer.

B. That she would not cooperate with the investigation.

Response to Req. for Admission No. 5: Ms. Lyles is without information regarding Request for Admission No. 5, therefore it is **denied**.

REQUEST NO. 6: Please admit that on June 3, 2014, Ms. Morris signed a Refusal to Prosecute Form regarding the sexual assault she complained of.

Response to Req. for Admission No. 6: Ms. Lyles is without information regarding Request for Admission No. 6, therefore it is **denied**.

REQUEST NO. 7: Please admit that Ms. Morris signed the Refusal to Prosecute Form after Detective Gregory advised her that the police department did not want officers sexually assaulting people.

Response to Req. for Admission No. 7: Ms. Lyles is without information regarding Request for Admission No. 7, therefore it is **denied**.

REQUEST NO. 8: Please admit that Detective Gregory begged Ms. Morris to cooperate.

Response to Req. for Admission No. 8: Ms. Lyles is without information regarding Request for Admission No. 8, therefore it is **denied**.

REQUEST NO. 9: Please admit that on June 3, 2014, Detective Gregory tried to show Ms. Morris a photo lineup.

A. Please admit that Ms. Morris stated she did not want to see the photos.

Response to Req. for Admission No. 9: Ms. Lyles is without information regarding Request for Admission No. 9, therefore it is **denied**.

REQUEST NO. 10: Please admit that on June 18, 2014, Ms. Morris was shown a photo lineup, but she was not able to identify the photograph of Defendant Holtzclaw.

Response to Req. for Admission No. 10: Ms. Lyles is without information regarding Request for Admission No. 10, therefore it is **denied**.

REQUEST NO. 11: Please admit that on June 18, 2014, Ms. Morris was interviewed by Officer Gregory and she advised him:

A. That the sexual assault occurred within two (2) blocks of the City Rescue Mission.

B. That the assault occurred on either May 20 or 21, 2014.

Response to Req. for Admission No. 11: Ms. Lyles is without information regarding Request for Admission No. 11, therefore it is **denied**.

REQUEST NO. 12: Please admit that on July 20, 2014, while in the interview room at the Oklahoma County Jail, Ms. Morris advised Detective Gregory that:

A. She had given him the wrong address.

B. That the sexual assault occurred at Liberty Station on May 20 or 21, 2014.


Response to Req. for Admission No. 12: Ms. Lyles is without information regarding Request for Admission No. 12, therefore it is **denied**.

Respectfully submitted,

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

This is to certify that on September 13th, 2016, the above document was via email and U.S. Mail, postage prepaid, to the following:

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ATTORNEYS FOR DEFENDNAT
BRIAN BENNETT



Melvin C. Hall

VERIFICATION

STATE OF OKLAHOMA)
) ss.
COUNTY OF OKLAHOMA)

I, Kala Lyles, being of lawful age being first duly sworn upon oath, state that I have read the above and foregoing document, and know the contents therein and the matters and things therein stated are true and correct to the best of my knowledge and belief.

Kala Lyles
Kala Lyles

Subscribed and sworn to before me on September 13, 2016.



Jessica A. Rosson
Notary Public