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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CLACKAMAS

JEFFREY E. STAHLEY, Trustee of the
Jack L. Stahley Trust Dated June 28, 2011,

Petitioner,

v.

BRENT J. PARRIES, CATHY A. RIES,
JILL L. RYLANDER, JEFFREY E.
STAHLEY, and JOY M. STAHLEY,
INDIVIDUAL Oregon Residents;
HAWAII COMMUNITY FOUNDATION,
a Hawaii non-profit corporation; and
ELLEN F. ROSENBLUM, Oregon
Attorney General,

Respondents.

Case No. CV 13-04-0177

**RESPONDENT HAWAII
COMMUNITY FOUNDATION'S
RESPONSE TO JOY M.
STAHLEY AND JILL L.
RYLANDER'S FIRST
REQUEST FOR PRODUCTION**

Hawaii Community Foundation,

Petitioner,

v.

Jeffrey E. Stahley, Trustee of the Jack L.
Stahley Trust Dated June 28, 2011, and
Jeffrey E. Stahley in his individual capacity,

Respondents.

Case No. CV 13-04-0177

**RESPONDENT HAWAII
COMMUNITY FOUNDATION'S
RESPONSE TO JOY M.
STAHLEY AND JILL L.
RYLANDER'S FIRST
REQUEST FOR PRODUCTION**

TO: Joy Stahley, Jill Rylander, and their attorney(s) of record:

The Hawaii Community Foundation responds to Joy Stahley and Jill

Rylander's Request for Production of Documents as follows:

1 The Respondent will produce copies of all documents subject to this Response
2 and deliver them to the Respondents at their counsel's local law firm.

3 GENERAL OBJECTIONS

4 1. Respondent Objects to any request for production that constitutes
5 interrogatories, seeks contention evidence, seek legal conclusions or otherwise attempt
6 to elicit trial preparation or work product.

7 2. Respondent objects to any request that seeks any privileged materials,
8 proprietary information or other confidential information and will not produce the
9 same.

10 3. To the extend Respondents' requests, definitions or instructions conflict
11 with the Oregon Rules of Civil Procedure, Respondent objects to the same.

12 Respondent will produce documents only as required by the Oregon Rules of Civil
13 Procedure.

14 4. The Respondent will not provide copies of any documents previously
15 served on the Respondents.

16 5. The Respondent Objects to any requests that seek documents that are in
17 the possession of third parties that are not under the Respondent's control.

18 RESPONSE TO SPECIFIC REQUESTS FOR PRODUCTION

19 **REQUEST NO. 1.** Any and all documents relating to the decedent from a period
20 beginning January 1, 2006 until decedent's death.

21 **RESPONSE:** Respondent objects to this request on the grounds that it is overly
22 broad, unduly burdensome and not reasonably calculated to lead to the discovery of
23 admissible evidence. Subject to the general and specific objections stated herein, the
24 Respondent does not have any such documents and therefore cannot produce such.

25 **REQUEST NO.2.** Any and all documents relating to the decedent's Trust from a
26 period beginning January 1, 2006 until decedent's death.

1 **RESPONSE:** The Respondent has the same copy of the Trust that the Respondents
2 have and will not produce another copy. Respondent objects to this request on the
3 grounds that it is overly broad, unduly burdensome and not reasonably calculated to
4 lead to the discovery of admissible evidence. Subject to the general and specific
5 objections stated herein, the Respondent does not have any such documents and
6 therefore cannot produce such.

7 **REQUEST NO. 3.** Any and all documents relating to the Trust administration,
8 including but not limited to any correspondence sent or received by the Trustee, billing
9 records, account statements, inventories of assets, tax filings, travel records and/or
10 expense receipts, from a period beginning January 1, 2006 until present.

11 **RESPONSE:** Respondent objects to this request on the grounds that it is overly
12 broad, unduly burdensome and not reasonably calculated to lead to the discovery of
13 admissible evidence. Without waiving any general or specific objections stated herein,
14 Respondent is providing copies of all such non-privileged documents in its possession
15 or control.

16 **REQUEST NO.4.** Any and all documents concerning or relating to the decedent's
17 estate from a period beginning January 1, 2006 until the present.

18 **RESPONSE:** See Response to Request No. 3 above.

19 **REQUEST NO. 5.** Any and all documents between you and any beneficiary of the
20 Trust from January 1, 2006 until the present.

21 **RESPONSE:** The Respondent notes that the Trustee is a beneficiary and objects to
22 this request on the grounds that it is in part redundant, overly broad, unduly
23 burdensome and not reasonably calculated to lead to the discovery of admissible
24 evidence. The Respondent objects to the extent this request seeks documents that are
25 privileged, trial preparation materials or subject to the work product doctrine. The
26 Respondent will not produce copies of documents that were previously sent by its

1 counsel to all of the beneficiaries' attorneys during the course of this litigation.

2 Without waiving any general or specific objections stated herein, see Response to
3 Request No. 3 above.

4 **REQUEST NO. 6.** Any and all documents concerning or relating to the creation,
5 drafting, and execution of the Trust, including, but not limited to, drafts,
6 correspondence with Nancy Budd, billing statements and notes regarding the Trust.

7 **RESPONSE:** The Respondent has the same copy of the Trust that the Respondents
8 have and will not produce another copy. The Respondent objects to the extent this
9 request seeks documents that are privileged, trial preparation materials or subject to the
10 work product doctrine. Subject to the general and specific objections stated herein, the
11 Respondent does not have any such documents and therefore cannot produce such.

12 **REQUEST NO. 7.** Any and all documents relating to the decedent's wishes
13 with regard to disposition of his personal and real property upon his death.

14 **RESPONSE:** The Respondent has the same copy of the Trust that the Respondents
15 have and will not produce another copy. The Respondent objects to the extent this
16 request seeks documents that are privileged, trial preparation materials or subject to the
17 work product doctrine. Subject to the general and specific objections stated herein, the
18 Respondent does not have any such documents and therefore cannot produce such.

19 **REQUEST NO. 8.** Any and all documents relating to any estate planning done by
20 decedent, including wills, trusts, powers of attorneys, or beneficiary designations
21 and/or any handwritten notes on such documents, from a period beginning January 1,
22 2006 until the present.

23 **RESPONSE:** The Respondent has the same copy of the Trust that the Respondents
24 have and will not produce another copy. The Respondent objects to the extent this
25 request seeks documents that are privileged, trial preparation materials or subject to the
26 work product doctrine. Subject to the general and specific objections stated herein, the

1 Respondent does not have any such documents and therefore cannot produce such.

2 **REQUEST NO.9.** Any and all documents relating to the medical, cognitive and/or
3 physical status of decedent, including, but not limited to medical records,
4 prescription records, notes, diaries, calendar entries, physician appointments and
5 billing records from a period beginning January 1, 2006 until decedent's death.

6 **RESPONSE:** The Respondent objects to the extent this request seeks documents that
7 are privileged, trial preparation materials or subject to the work product doctrine.

8 Subject to the general and specific objections stated herein, the Respondent does not
9 have any such documents and therefore cannot produce such.

10 **REQUEST NO. 10.** Any and all documents relating to decedent, Jeffrey Stahley, Jill
11 Rylander and/or Joy Stahley.

12 **RESPONSE:** The Respondent objects to this request on the grounds that it is
13 redundant, is overly broad, unduly burdensome and not reasonably calculated to lead to
14 the discovery of admissible evidence. The Respondent will not produce copies of
15 documents that were previously sent by its counsel to all of the beneficiaries' attorneys
16 or from the Trustee to all beneficiaries. The Respondent objects to the extent this
17 request seeks documents that are privileged, trial preparation materials or subject to the
18 work product doctrine. Without waiving any such objections, Respondent will provide
19 copies of all such non-privileged documents in its possession or control. See also
20 Response to Request No. 3.

21 **REQUEST NO. 11.** Any and all documents relating to any relationship
22 decedent had with Respondent HCF.

23 **RESPONSE:** The Respondent has the same copy of the Trust that the Respondents
24 have and will not produce another copy. Subject to the general and specific objections
25 stated herein, the Respondent does not have any such documents and therefore cannot
26 produce such.

1 **REQUEST NO. 12.** Any and all documents relating to any donation decedent made
2 to Respondent HCF.

3 **RESPONSE:** The Respondent has the same copy of the Trust that the Respondents
4 have and will not produce another copy. Subject to the general and specific objections
5 stated herein, the Respondent does not have any such documents and therefore cannot
6 produce such.

7 **REQUEST NO. 13.** Any and all documents relating to correspondence between
8 Robert Silverman, Lolly Silverman, Shirley Marl, Jose Agayo, Laurie Agayo, Virgil
9 Meads, Ben Benzaken, Jeffrey Stahley, Jill Rylander and/or Joy Stahley, including, but
10 not limited to, letters, notes, cards, and email messages, from a period beginning
11 January 1, 2006 until the present and relating in any way to decedent and/or decedent's
12 estate.

13 **RESPONSE:** The Respondent notes that the Trustee is a beneficiary and objects to
14 this request on the grounds that it is in part redundant, overly broad, unduly
15 burdensome and not reasonably calculated to lead to the discovery of admissible
16 evidence. The Respondent objects to the extent this request seeks documents that are
17 privileged, trial preparation materials or subject to the work product doctrine. The
18 Respondent will not produce copies of documents that were previously sent by its
19 counsel to all of the beneficiaries' attorneys during the course of this litigation.
20 Subject to the general and specific objections stated herein, the Respondent does not
21 have any such documents and therefore cannot produce such.

22 **REQUEST NO. 14.** Any and all documents relating to any role, connection,
23 membership, association, fiduciary relationship and/or employment between Nancy
24 Budd, or anyone associated with Nancy Budd, and Respondent HCF, including but not
25 limited to the dates of Nancy Budd's respective roles and a description of those roles
26 and responsibilities.

1 **RESPONSE:** The Respondent objects to this request on the grounds that it is overly
2 broad, unduly burdensome and not reasonably calculated to lead to the discovery of
3 admissible evidence. The Respondent objects to the extent this request seeks
4 documents that are privileged, trial preparation materials or subject to the work
5 product doctrine. Without waiving any general or specific objections stated herein,
6 Respondent is providing copies of all such non-privileged documents in its possession
7 or control.

8 **REQUEST NO. 15.** Any and all policies, guidelines or the like of Respondent HCF
9 regarding solicitation of donations and/or estate gifting.

10 **RESPONSE:** The Respondent objects to this request on the grounds that it is overly
11 broad, unduly burdensome and not reasonably calculated to lead to the discovery of
12 admissible evidence. Without waiving any general or specific objections stated herein,
13 Respondent is providing copies of all such non-privileged documents in its possession
14 or control.

15 **REQUEST NO. 16.** Any and all documents relating to any compensation Nancy
16 Budd received from Respondent HCF from June 1, 2011 to the present.

17 **RESPONSE:** Without waiving any general or specific objections stated herein,
18 Respondent is providing a copy regarding the payment of a \$200.00 travel stipend paid
19 to Nancy Budd.

20 **REQUEST NO. 17.** All communication with Nancy Budd from January 1, 2011 to
21 the present relating to the Trust, decedent, decedent's estate planning, and/or this
22 dispute.

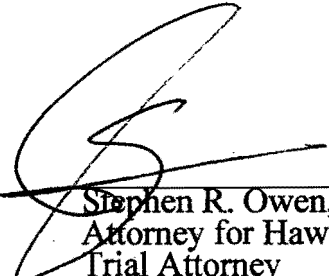
23 **RESPONSE:** The Respondent objects to the extent this request seeks documents that
24 are privileged, trial preparation materials or subject to the work product doctrine.
25 Without waiving any general or specific objections stated herein, Respondent is
26 providing copies of all such non-privileged documents in its possession or control.

1 NOTE: By providing or forwarding an email correspondence from trial counsel to in-
2 house counsel, no waiver of attorney client privilege or work product beyond the
3 specific item mentioned is intended nor should be construed from such disclosure.

4 **REQUEST NO. 18.** Any and all documents relating to Brent Parries allegation in
5 Paragraph 22 of his Answer.

6 **RESPONSE:** The Respondent objects to this request to the extent it requests
7 discovery of a Party's contentions. The Respondent also objects to the extent this
8 request seeks documents that are privileged, trial preparation materials or subject to the
9 work product doctrine. The Respondent further objects because the request is
10 redundant, see Requests numbered 1, 2, 4, 6, 7, 8 and 10 above and the Responses
11 thereto.

12 DATED this 3 day of October, 2013.

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Stephen R. Owen, OSB #913898
Attorney for Hawaii Community Foundation
Trial Attorney

CERTIFICATE OF SERVICE

I hereby certify that on the date signed below I served a true and correct copy of
RESPONDENT HAWAII COMMUNITY FOUNDATION'S RESPONSE TO JOY
M. STAHLEY AND JILL L. RYLANDER'S FIRST REQUEST FOR PRODUCTION
on the following attorneys and parties by first-class mail, postage prepaid, to the
addresses listed below:

James R Cartwright
Cartwright Whitman Baer PC
1000 SW Broadway Ste 1750
Portland OR 97205

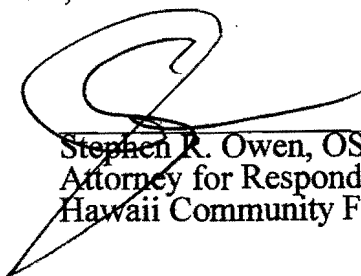
Debbie Hoesly
31110 SW Riverlane
West Linn OR 97068

Susan A Bower
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1515 SW 5th Ave Ste 410
Portland OR 97201

Timothy Beau Ellis
Day Law Group PC
12755 SW 69th Ave Ste 200
Portland OR 97223

William J Keeler Jr
Garvey Schubert Barer
121 SW Morrison St 11th Fl
Portland OR 97204

DATED this 3 day of October, 2013.



Stephen R. Owen, OSB#913898
Attorney for Respondent
Hawaii Community Foundation