

**NOTIFICATION OF DISCOVERY SERVICE**

TO: THE CLERK OF COURT:

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This is to notify you that the following discovery papers were served on the Plaintiff's lawyer in the manner and on the date indicated:

First Request for Production of Documents was served by mailing a true and accurate copy of this notice and the below attached request to the plaintiff's lawyer at the address provided on the Summons and Complaint.

STATE OF MAINE

DISTRICT COURT

Location:

Case No.:

<b>Plaintiff</b>
v.
(your name) <b>Defendant</b>

**FIRST REQUEST FOR PRODUCTION  
OF DOCUMENTS**

Defendant requests, pursuant to Rule 26 of the Maine Rules of Civil Procedure, that Plaintiff produce and permit the Defendant to copy and produce within thirty (30) days, the documents requested herein.

The definition of "document" as used herein means every writing and record of every type and description, including but not limited to, electronic communication (such as "email"), receipts, work orders, contracts, correspondence, memoranda and written notes, reports, invoices, bills, account statements, checks, check registers, books of accounting, computer cards, printouts, tapes, discs and records of all types, minutes of meetings, studies, books, pamphlets, pictures and voice recordings or any other item or record of any type.

1. Please produce a complete copy of all documents in your possession that relates to the debt that you allege in your complaint.

2. A complete copy of all documents establishing, reflecting, or indicating ownership of the debt/ loan/ contract that is the basis of your complaint such that a chain of ownership for the debt/ loan/ contract can be established.
3. A complete copy of the loan history from the date of inception to the date of this request, including, but not limited to, the last payment statement and charge off statement. This request includes a glossary for all terms and symbols such that the loan history is understandable to any person.
4. A complete copy of any and all contracts or agreements with any person or entity involved in this loan, including all contracts and applications signed by the Defendant.
5. A complete copy of any and all documents relied upon in the creation of any affidavits submitted as part of, or with, the complaint filed in this case.
6. A complete copy of any policy of the Plaintiff setting forth procedures instructing the manner in which the affidavit attached to or submitted with the complaint was created.
7. A complete copy of any policy of the Plaintiff setting forth procedures instructing the manner in which the truth of the allegations contained in the affidavit attached to or submitted with the complaint was determined.
8. A complete copy of all training materials used to train the persons identified in your response to paragraphs 4 and 5 of Defendant's interrogatories in creating the affidavit attached to or submitted with the complaint or in determining the truth of the allegations in the affidavit.
9. A complete copy of the Plaintiff's written internal rules, policies, and/or memos regarding Plaintiff's normal business practices concerning the buying of credit card accounts and the acquisition of records associated with the credit card accounts.
10. A complete copy of the Plaintiff's written internal rules, policies, and/or memos regarding Plaintiff's normal business practices concerning the maintenance and storage of records concerning all purchased accounts.

Date: \_\_\_\_\_  
\_\_\_\_\_ (Signature)

\_\_\_\_\_ (Print Name)

\_\_\_\_\_ (Street Address)

\_\_\_\_\_  
(City, State)

\_\_\_\_\_  
(Phone number)

**NOTIFICATION OF DISCOVERY SERVICE**

TO: THE CLERK OF COURT:

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This is to notify you that the following discovery papers were served on the Plaintiff's lawyer in the manner and on the date indicated:

Defendant's First Set of Interrogatories was served by mailing a true and accurate copy of this notice and the below attached request to the plaintiff's lawyer at the address provided on the Summons and Complaint.

STATE OF MAINE

DISTRICT COURT

Location:

Case No.:

Plaintiff
v.
(your name) Defendant

**DEFENDANT'S FIRST SET OF INTERROGATORIES**

**DEFINITIONS**

The Defendant pursuant to Rule 33 of the Maine Rules of Civil Procedure, hereby propound the following interrogatories to Plaintiff to be answered individually or in the case of a Plaintiff Corporation, by an officer or agent of the Corporation. Each interrogatory shall be

answered separately and fully in writing under oath, within 30 days after service, unless it is objected to, in which event the reasons for the objection shall be stated in lieu of an answer.

Unless otherwise indicated, the following definitions are applicable to these requests.

“Person” means both natural person and entities including, but not limited to, Corporation, partnerships, joint ventures, unincorporated associations, trusts, estates, public agencies, departments, bureaus, and boards.

“Document” or “documents” means the original or any copy of any writing (whether hand written, typed, printed, or otherwise made) of anything bearing or containing writing, impressions, or a magnetic field, including, without limitation, any drawing, graph, chart, photograph, email, phone records, or electronic or mechanical matter (including microfilm or any kind of matter, typed or recordings) or any other data, compilations from which information can be obtained, and further includes, without limitation, all pamphlets, periodicals, correspondence, transcripts, telegraphs, teletype, agreements, studies, reports, records, price lists, quotations, memos, minutes, journals, entries, books, accounts, ledgers, invoices, newspaper clippings, financial statements, publishing, and any and all other writing or papers of any kind, including drafts, copies, or productions of any of the foregoing and information stored in computers or other data, storage or processing equipment to the extent that the same are or were in the possession, custody, or control of you, or any employees or agents of you to exist or have existed.

“Plaintiff”, “you”, or “yours” means the Plaintiff and her agents, servants, employees, attorneys, and all other persons acting or purporting to act on your behalf.

1. Please identify the full name, title, address, and corporate duties of the person answering these interrogatories.
2. Please identify the full name, title, address, and corporate duties of all persons you intend to call as witnesses at trial in this case.
3. Please identify the full name, title, address, and corporate duties of all persons you intend to use as an affiant(s) in connection with any affidavit you intend to use in support of any motion for summary judgment you may file in this case.

4. Please identify the title, address and corporate duties of any person who signed any affidavit submitted with, or as part of, the complaint filed in this case.
5. Please identify the title, address and corporate duties of any persons who were involved in creating any affidavit submitted with, or as part of, the complaint filed in this case.
6. Please describe the training received by the persons identified in your response to paragraphs 4 and 5 of these interrogatories in creating the affidavit or in determining the truth of the allegations in the affidavit.
7. Please state all documents reviewed or relied upon by the persons identified in response to paragraphs 4 and 5 of these interrogatories in determining the truth of the allegations set forth in the affidavit.
8. Please identify the full name, title, address and corporate duties of the person who notarized the affidavit.
9. Please describe the procedure followed in creating the affidavit,
10. Please describe any policy of the Plaintiff setting forth procedures instructing the manner in which the affidavit was created.
11. Please list any documents related to the account at issue known to be destroyed and/or retained by any previous owners of the account.
12. For every document produced in response to Defendant's Request for Production of Documents::
  - (a) identify whether the document is an original, copy, or paper version of an electronic document.
  - (b) state the date the replicated original document, copy provided, and/or electronic version of each document was created
  - (c) list every person and/or entity known to have had in her/his/its possession the replicated original document, copy provided, and/or electronic version of each document

(d) list the dates each document was transferred between the individuals and entities listed in (c) above.

Date: \_\_\_\_\_

\_\_\_\_\_ (Signature)

\_\_\_\_\_ (Print Name)

\_\_\_\_\_ (Street Address)

\_\_\_\_\_ (City, State)

\_\_\_\_\_ (Phone number)