

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

Yuling Zhan, )  
Plaintiff )  
V. ) No: 04 M1 23226  
Napleton Buick Inc )  
Defendant )

**PLAINTIFF’S FIRST SET OF INTERROGATORIES TO NAPLETON BUICK INC.**

Plaintiff Yuling Zhan respectfully requests, pursuant to Rule 201 of Illinois Supreme Court, that Napleton Buick Inc. (“Buick”) answers the following interrogatories separately and fully under oath within 28 days of service. In responding to all the interrogatories, please consult and adhere to the definition and instructions attached as Exhibit A. It is important to follow Illinois Supreme Court Rule 201(n) when you claim any statements, information and/or documents known to you to be work product or subject to any common law or statutory privilege. Also please pay special attention to the definitions of the terms, such as “identify”, “document(s)” and “person(s)” in Exhibit A.

**Interrogatories No. 1** Did defendant have any factual and/or legal ground for each time it entered “denied”, “lacks information” in the Answer, which was not a frivolous statement? If so, identify the paragraph number and for each of all such paragraphs, provide specific facts and/or legal assertions in support of each “denied” entry, or contact other persons to get necessary information in order to answer the substance of the allegation.

**Interrogatories No. 2** Please fully identify all the owners, partners; all employees and/or former employees, their position, qualification and job responsibilities at defendant Napleton Buick Inc. during each of the last four years;

**Interrogatories No. 3** Pursuant to Illinois Supreme Court Rule 213(f) provide the name and address of each witness who will testify at trial and all other information required for each witness.

**Interrogatories No. 4** Did defendant have any knowledge of the history of the subject car before and on September 4, 2003? If so, identify the previous owner of the subject car, the number of all repair and maintenance of the car; the service facility for each repair, identify and/or describe in details how Buick acquired the subject car and the terms of acquisition, the person(s) at defendant who acquired the subject car, and communications between Buick's employee(s) and the previous owner of the subject car regarding the repair records.

**Interrogatories No. 5** How did each of your employees communicate with plaintiff during her purchase of the subject car on September 4, 2003? Identify all persons who were present on the scene including but not limited to all your employees including former employees, and identify all communications between any person at defendant and plaintiff during the purchase. To answer this interrogatory, please identify the person who took part in the test drive with plaintiff, the communication during the test drive and the route of the test drive, the person(s) who handed over purchase papers to plaintiff and all the communications, then and there.

**Interrogatories No. 6** Was there an official copy of a Buyer's Guide on each of used cars defendant sold or intended to sell in 2003? If so, identify the number, content, location of the Buyer's Guides before and after each sale, the author(s) of the Buyer's Guides and when they were prepared, the person(s) requested that they be prepared, the person(s) at defendant who handled the official copies of the Buyer's Guides before, during and after each purchase in 2003.

**Interrogatories No. 7** Was the subject car sold to plaintiff with any warranty of consistent and specific terms? If so, Identify the person(s) who showed and explained the Buyer's Guide to plaintiff and all persons who were on the scene; describe when, where and how the person(s) did these before and during plaintiff made the purchase decision. Identify the person who received phone call from plaintiff in the afternoon of September 4, 2003, regarding the warranty paper, all communication between that

person and plaintiff; all other persons who were present at defendant and had knowledge of above-mentioned communication, describe in detail what that person did afterwards; and identify all communications Buick made to any person(s) including plaintiff from September 10, 2003 to December 22, 2004, which explicitly indicated the subject car was under any kind of warranty. .

**Interrogatories No. 8** Did Buick perform inspection and/or mechanical check up before and during plaintiff's purchase? If so, identify all person(s) who performed the inspection and/or mechanical check of the car in dispute; describe qualification for each of them (training, education, license or certification background etc.); describe what each of them did in details during the inspection, test and mechanical check-up; identify and produce all documents and record(s) of the inspection and mechanical check up.

**Interrogatories No. 9** After the car in dispute stalled at highway speed on September 8, 2003, plaintiff and/or some other person called Buick to tow back the car. Identify the person(s) who received the calls before and after towing back the subject car, the communications between that person(s) at defendant and plaintiff or any other person, each of all persons at defendant who was notified and all communication before and after towing back the subject car on September 8, 2003.

**Interrogatories No. 10** Did plaintiff misuse the car? If so, identify and list all the ways in which that plaintiff misused the car for the cause of engine stalling at highway speed, provide all documentation related to this issue defendant created from September 8, 2003 to December 22, 2004, from December 22, 2004 to April 1, 2005, and from April 1, 2005 to the present day, respectively.

**Interrogatories No. 11** Is the subject car defect-free and operable without any cost in repair at this moment? If not, identify each of all defective parts of the subject car which impair the car's operation and safety, identify each of all persons, laboratories, facilities etc. performed the testing on each of all defective parts, identify and produce all documents of testing, the estimate of itemized costs to replace or repair each of all the defective parts.

**Interrogatories No. 12** On September 9, 2003 plaintiff sent Buick a fax and a letter, asking Buick's response by fax in three days, did Buick fax, call plaintiff, or send

certified mail to plaintiff afterwards? If so, identify all faxes or phone calls Buick made trying to reach Plaintiff ever since, including the date, time and the person(s) who made the attempts on each of all occasions, identify and produce all documents, including but not limited to records from telephone company; all certificate letter receipts and other mailing proof for the time period of September 8, 2003 to December 22, 2004.

**Interrogatories No. 13** Did any person(s) working for defendant access, or inspect, or repair the subject car and/or alter its condition in anyway from September 8, 2003 to the present day? If so, please identify the person(s) who was responsible for the control of day-to-day access to the subject car, the person(s) who accessed, or inspected, or repaired the subject car and/or altered its condition, and all persons on the scene on such occasion(s) before and after April 1, 2005. To answer this interrogatory, please identify and describe step-by-step procedure, each of all vehicle part(s) accessed, or inspected, or repaired and/or altered; identify and produce all the related records and documents.

**Interrogatories No. 14** Who initiated and/or participated in the process of filing a counterclaim against plaintiff in the instant lawsuit, but deciding not to present it to the Arbitration Panel? Identify all persons involved, and provide all documents and communication records from all the identified persons.

**Interrogatories No. 15** What is your estimate of the market value for the subject car before and after plaintiff's purchase? Please provide the market value of the subject car if maintenance record was disclosed on September 4, 2003, the market value of the car after it stalled at highway speed at 60 miles/hr if such information would be fully disclosed to a potential buyer, the market value when safety recall information is fully disclosed to the public, the market value of the subject car at the present day. For each instance, please list dealer's purchasing prices and selling prices for the market value, and identify any documents and/or any basis for you estimate.

**Interrogatories No. 16** Identify all documents, all oral presentations and/or communications Buick presented to the Arbitration Panel, and Buick considered any of them had any merit for an arbitration award on August 3, 2005.

**Interrogatories No. 17** Did defendant have any communication with any person(s) other than plaintiff regarding the subject car out of Court from September 10, 2003 to the present day? If so, identify and produce all documents and/or records of communication (whether oral, electronic or other means), including but without limitation all letters, diaries, calendars, desk pads, and computer back-up files, which should indicate the date and time, place and circumstance of the communication, participants of the communication and/or author(s) of documents. Here, "person(s)" should include natural persons, governmental agencies, companies etc. as defined in Exhibit A..

**Interrogatories No. 18** State the name, address, telephone number, and relationship to defendant of each person who prepared or assisted in the preparation of the response to these interrogatories (Do not identify anyone who simply typed or reproduced the responses.)

**Interrogatories No. 19** Has defendant or any of its employees ever been a party or a witness and testified in a court in the past four years? If so, describe all litigations to which the defendant and/or anyone at defendant has been a party or a witness and testified. Such description should include the case name, the court where filed (identify the court by level, location, and state), the case or action number, identification of all plaintiffs and defendants, identification of respective counsel, a description of the nature of that litigation and the issues involved therein, and current statutes or final result/outcome of such litigation.

Respectfully submitted,

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(Plaintiff's Signature)

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( Date )

Yuing Zhan

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