

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

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

RESPONSE TO DEFENDANT'S COMBINED MOTION

FILED ON JUNE 13, 2006

The Plaintiff, Yuling Zhan, respectfully submits this Response to the Defendant's Combined Motion Filed on June 13, 2006, and states as follows:

Procedural Background

1. The instant suit was filed on December 22, 2004, and the discovery of the case started on March 13, 2006.
2. On May 11, 2006, to expedite the case, Honorable Judge Rhine ordered Defendant answer and respond to certain discovery request by June 1, 2006.
3. After June 1, 2006, Plaintiff wrote two letters to Defendant, and reminded Defendant the deadline set by the Honorable Judge.
4. On June 13, 2006, thirteen days after the deadline, Defendant filed the instant combined motion, requesting a next-day hearing. On June 14, 2006, Defendant counsel wrote a Notice of Filing and Proof of Service in open court and handed them over to Plaintiff. As the Honorable Court can see, Defendant violates Illinois Supreme Court Rules and Rule 2.1(c) of the Circuit Court of Cook County in serving hearing notice for its motion.

**Response to Defendant's Motion for Leave
to File Discovery Papers to the Court**

5. As the Honorable Court can see, Defendant's Supplement Answer to Interrogatories defies the Court Order, proves deliberate false statement in order to conceal crucial information. The Honorable Judge specifically ordered Defendant to provide expert testimony, but it failed to do so. In response to Interrogatories No 7, Defendant fails to answer the most important part of a question: "Identify the person who received phone call from plaintiff in the afternoon of September 4, 2003." It is impossible for Defendant not to know who had access to its fax machine in a specific afternoon and on the specific day, and faxed the front side of changed Buyer's Guide to Plaintiff. In its response to Interrogatories No. 12, Defendant purposely concealed the name of the person who fabricated the alleged September 10, 2003 letter as its D 000007.
6. As the Honorable Court can see, Defendant Supplemental Response to Production of Document in its Exhibit A is a complete failure. For example, in response to Request No. 8, Defendant should notice that Mr. Nicholas J. D'Andrea is not Mr. Ed Earley, or anyone else, who fabricated a September 10, 2003 letter, and whose printed name is unknown. When Defendant claims it does not have documents related to the transaction between Buick and previous owner, in its response to Request for Production No. 13, Defendant provided a perfect example of deception and concealment.
7. Defendant has been trying hard to deprive Plaintiff's right to conduct a meaningful discovery and have a fair trial. In separate filing(s), Plaintiff will address other failures in Defendant's responses to Plaintiff's discovery requests.

Response to Defendant's Motion for Protective Order

8. As the Court Order from Honorable Judge Rhine indicates, Defendant's business practice and credibility are at issue in the instant suit.
9. Defendant has no excuse not to produce all documents related to the transaction between Buick and Precision Motors Inc. These document would demonstrate: when the transaction took place; when Defendant became a qualified "transferor" legally and financially, if it ever did; when Defendant acquired the previous title of the subject car, and who was the real previous owner, and what was the accurate mileage reading of the subject car at that time.
10. As the Honorable Court can see, Defendant failed to response Plaintiff's Request for Production of Documents No. 13. As such, its financial statutes and monthly bank statements in the year of 2003 should be discoverable. And Defendant should also produce documentation of communication with the Office of Secretary of State in its response to Plaintiff's Interrogatories No. 17, since such information is essential for Plaintiff to present her case.

Response to Defendant's Motion for *In Camera* Inspection

11. Plaintiff is not interested in any other consumer's credit reports and bank statement. As stated above, Plaintiff has good reason to believe Defendant's instant combined motion was filed for delay and other improper purposes.

WHEREFORE, Plaintiff prays the Honorable Court consider Plaintiff's response, and grant Plaintiff additional relief that this Court deems just and proper.

(Plaintiff's Signature)

(Date)

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