

Defendant Napleton admits that plaintiff filed a motion to sanction on October 25, 2005 and that the motion was heard and denied pursuant to Court Order of November 8, 2005. Defendant denies the remaining allegations in Request No. 111.

112. On November 2, 2005, Buick submitted Court Room 1307 Intake Sheet to the Court, which included At Trial Only The Following Witness Will Testify and . Trial Only The Following Exhibits Will Be Used For Any Purpose Whatsoever

Response: Objection. Pursuant to S, Ct. Rule 216(c), this request for admission is improper in whole because it calls for a legal conclusion and because it is irrelevant in that any such issues have been addressed by the Court.

113. At the November 2, 2005 hearing, Honorable Judge directed that Intake And Case Management Conference would be held on November 8, 2005, plaintiff should submit Intake Sheet For Court Room 1307, then and there, and hearing on pending motions would be held.

Response: Objection. Pursuant to S, Ct. Rule 216(c), this request for admission is improper in whole because it calls for a legal conclusion and because it is irrelevant in that any such issues have been addressed by the Court.

114. During November 8, 2005 conference, Mr. Haas contended Buick's motion to dismiss was still pending because it had been stricken "without prejudice." Such statement is on the record in plaintiff's Court filings. To this day Buick and its counsel have never disputed in their court filing or oral presentation

Response: Objection. Pursuant to S, Ct. Rule 216(c), this request for admission is improper in whole because it calls for a legal conclusion and because it is irrelevant in