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| **WORKERS DEFENDERS LAW GROUP** |
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| TO: | Young W Ryu, EsqLOYR, APC1055 West 7th Street, Suite 2290Los Angeles CA 90017Telephone: 213 – 318 - 5323Facsimile: (800) 576 – 1170 |  | young.ryu@loywr.com joshua.park@loywr.comhenna.choi@loywr.com |
| RE: | Dylan Yeiser-Fodness vs Master Dog Training, et al. |
| Case # : | 22STCV21852 |
|  | 3/9/2023 |

*In response to Plaintiff’ attorney letter dated 3/3/2023*

Amended responses by Defendant Ekaterina Korotun and Defendant 5 Star K-9 Academy

to Plaintiff discovery requests

Dear Gentleperson(s):

We are in receipt of your “meet and confer” letter from 3/3/2023. We understand your concern and will attempt in good faith to address each and every issue articulated by your letter.

1) IMPROPER PRELIMINARY STATEMENT

We would appreciate if you can provide specific phrases from our preliminary statements that can be considered as objection. We deliberately removed all and any referrals to objections from our preliminary statements. However, in a spirit of compromise and in consideration of your concern, we are amending our responses by the following statement that should be considered now as amended preliminary statement to all submitted by defendant responses to set one discovery:

**AMENDED PRELIMINARY STATEMENT OF DEFENDANT’ RIGHT**

 Defendant has not fully completed discovery in this action and has not completed preparation for trial. The responses contained herein are based only upon such information and documents as are presently available to, and specifically known to Defendant, and disclose only those facts and contentions which presently occur to Defendant.

 It is anticipated that further discovery will supply additional facts and add meaning to known facts, as well as establish new factual conclusions and legal contentions, all of which may lead to substantial additions to, and/or changes and variations from the responses set forth herein.

 The following responses are given without prejudice to Defendant and Defendant’s right to produce evidence of any subsequently discovered fact or facts which Defendant may later discover. Defendant accordingly reserves the right to amend any and all responses herein as additional facts are ascertained, analyses are made, legal research is completed, and contentions are made. The responses made herein are made in a good faith effort to supply as much specification of the facts and contentions as are presently known, which should in no way be to the prejudice of Defendant in relation to further discovery, research or analysis.

**Korotun’s Responses to FIG**

FIG 1.1 - Ms. Korotun responded to the question to the best of her understanding. The Interrogatories specifically ask not to identify anyone who is simply typed or reproduced the responses. In this case it was an attorney, regardless what is an assumption of the Plaintiff’ counsel in this regard. Amended answer is attached.

FIG 2.1-2.13 - Ms. Korotun responded to the question to the best of her understanding. Amended answer is attached.

FIG 3.1-3.7 – Ms. Korotun responded to the question to the best of her understanding. Amended answer is attached.

FIG 15.1 - Ms. Korotun responded to the question to the best of her understanding. Amended answer is attached.

**Korotun’s Responses to FIE**

FIE 216.1 – Defendant is required to answer all discovery questions under the perjury of law. Ms. Korotun believes that there was no fact of employment as alleged by the Plaintiff. From this point of view, each and every question requesting Ms. Korotun to respond to the facts of employment is a hypothetical question. Giving hypothetical answer to hypothetic question is not a testimony expected from the defendant who is instructed by the form interrogatories to answer from her personal knowledge. Plaintiff’ counsel wants my client to respond based on her hypothetical guess, but such hypothetical testimony cannot be given under the oath. Defendant is not an expert here; thus, any hypothetical answer would be a lie, and **this is unacceptable.** The only reasonable and truthful answer that defendant can provide shell be based on Defendant’ personal knowledge. If my client does not have any first-hand knowledge of the alleged employment, she cannot give any answer about that employment. In regard to question asking my client to “identity each denial of a material allegation and each special or affirmative defense”, this question cannot be answered by a person without American Law Degree. My client hired an attorney to formulate defenses. She was advised on the defenses and its meaning, but Ms. Korotun is not self-represented, thus her referral to her answer prepared and field for her by her attorney is a reasonable response to this question.

**Korotun’s Responses to SI**

SI 1 – amended answer is attached

**Korotun’s Responses to RFP**

RFP 1-50 – p. 1 of Plaintiff’ instructions to his request for production instructs respondent to provide “all responsive DOCUMENTS which are in Defendant’s actual or constructive possession, custody, and/or control”. Defendant is not required and cannot be required to produce documents not in her possession, custody or control. If Defendant does not have documents that Plaintiff desire to obtain, it is not the Defendant’ fault, and defendant cannot be responsible for it. The only document in possession of Defendant was the training agreement, that Defendant in fact provided.

**5 Star’s Responses to FIG**

FIG 1.1 – Amended answer is attached

FIG 3.7 – Amended answer is attached

FIG 4.1 – Amended answer is attached

FIG 12.1 – this is another example of Plaintiff’ attempt to get from the Defendant under the oath an answer to the hypothetical question. This is impossible. Incident is described and understood as an event of employment. Defendant has no knowledge of the employment of the Plaintiff. Thus, for the defendant this is a hypothetical question. Plaintiff can insist on the answer to his hypothetical but it is not going to happen. Defendant refuses to provide hypothetical answer under the penalty of perjury. Defendant is not an expert to provide his opinion on any issue. Defendant is required to testify from the first-hand knowledge. First hand knowledge of defendant indicates that there was no employment. Demanding to answer the opposite hypothetical assumption that is to the contrary to the knowledge and belief of the defendant is nothing short of coercion and racketeering.

FIG 15.1 – This interrogatory asks the Defendant to identity each denial of a material allegation and each special or affirmative defense in their pleadings, and for each to state the facts upon which they are based, the information of anyone who has knowledge of those facts, and any documents which support them. Defendant in this case is not an attorney, and to state its defenses the corporation hired an attorney. This question is asking for legal analysis that was provided in the Defendant’ answer, thus referral to the answer should be an appropriate answer. Demanding detailed response to the legal question from a lay person is not appropriate

**5 Star’s Responses to FIE**

FIE 216.1 – see above comment to FIG 15.1

**5 Star’s Responses to SI**

SI 1 – amended answer is attached

**5 Star’s Responses to RFP**

RFP 1-50 – it is unfortunate that Plaintiff is not satisfied with the honest answers he received but instead insisting on answers that would fit his expectations. To please the opposite party is not the objective of the discovery. Defendant is ready and willing to provide honest answers based on his knowledge and belief. There are no any other documents in possession of the defendants except the training agreement.

CONCLUSION:

It appears that the Plaintiff’ attorney is posting new questions to the defendants in his letter dated 3/3/2023. These questions sounds like a reasonable inquiry, however these questions are not the part of the original discovery devices served on the defendants. If these questions are important to Plaintiff, these questions can be asked in new sets of discovery.

Respectfully Submitted:

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By NATALIA FOLEY, Esq (SBN 295923)

Law Offices of Natalia Foley

Attorney for Defendant

DATED: 3/10/2023

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| **Dylan Yeiser-Fodness** **PLAINTIFF,** **VS.****Master Dog Training, et al.** **DEFENDANTS** | **CASE NO. 22STCV21852****DEFENDANT EKATERINA KOROTUN AMENDED RESPONSES** |

**AMENDED RESPONSES**

**Korotun’s Responses to FIG**

FIG 1.1

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| --- | --- |
| QUESTION: | State the name, ADDRESS, telephone number, and relationship to you of each PERSON who prepared or assisted in the preparation of the responses to these interrogatories. (Do not identify anyone who simply typed or reproduced the responses.) |
| ANSWER: | I prepared responses myself. My attorney was simply typing my responses. My info:Ekaterina KorotunTel: 818 963 2253Address: 5502 Penfield AveWoodland Hills CA 91364Relationship: myself |

FIG 2.1-2.13

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| --- | --- |
| QUESTION: | 2.1 State:(a) your name;(b) every name you have used in the past; and(c) the dates you used each name. |
| ANSWER: | Ekaterina KorotunNoneN/A |

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| QUESTION: | 2.2 State the date and place of your birth. |
| ANSWER: | 12/20/1990 City of KurganRussia |

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| QUESTION: | 2.3 At the time of the INCIDENT, did you have a driver's license? If so state:(a) the state or other issuing entity;(b) the license number and type;(c) the date of issuance; and(d) all restrictions. |
| ANSWER: | I don’t have driver’s license, I have California State ID Y7281837 Exp 12/20/2025 |

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| QUESTION: | 2.4 At the time of the INCIDENT, did you have any other permit or license for the operation of a motor vehicle? If so, state:(a) the state or other issuing entity;(b) the license number and type;(c) the date of issuance; and(d) all restrictions. |
| ANSWER: | NO |

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| QUESTION: | 2.5 State:(a) your present residence ADDRESS;(b) your residence ADDRESSES for the past five years; and(c) the dates you lived at each ADDRESS. |
| ANSWER: | 5502 Penfield AveWoodland Hills CA 91364 |

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| QUESTION: | 2.6 State:(a) the name, ADDRESS, and telephone number of your present employer or place of self-employment; and(b) the name, ADDRESS, dates of employment, job title, and nature of work for each employer or self-employment you have had from five years before the INCIDENT until today. |
| ANSWER: | I am not employed currently; I am a mother of three and staying home |

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| QUESTION: | 2.7 State:(a) the name and ADDRESS of each school or other academic or vocational institution you have attended, beginning with high school;(b) the dates you attended;(c) the highest grade level you have completed; and(d) the degrees received. |
| ANSWER: | a) Melitopol high school 2012b) 2018 – university of Kiev, legal specializationc) bachelord) bachelor degree |

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| QUESTION: | 2.8 2.8 Have you ever been convicted of a felony? If so, for each conviction state:(a) the city and state where you were convicted;(b) the date of conviction;(c) the offense; and(d) the court and case number. |
| ANSWER: | NO |

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| QUESTION: | 2.9 2.9 Can you speak English with ease? If not, what language and dialect do you normally use? |
| ANSWER: | I can speak English with some difficulties. My first language is Russian |

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| QUESTION: | 2.10 Can you read and write English with ease? If not, what language and dialect do you normally use? |
| ANSWER: | I can read and write English with some difficulties. My first language is Russian |

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| QUESTION: | 2.11 At the time of the INCIDENT were you acting as an agent or employee for any PERSON? If so, state:(a) the name, ADDRESS, and telephone number of that PERSON: and(b) a description of your duties. |
| ANSWER: | I was an agent of the owner and investor of the company Mr Kluchnik Sergei Mikolayevich, I helped him to register the company and I was working as a manager who is responsible for the training program preparing dog trainers |

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| QUESTION: | 2.12 At the time of the INCIDENT did you or any other person have any physical, emotional, or mental disability or condition that may have contributed to the occurrence of the INCIDENT? If so, for each person state:(a) the name, ADDRESS, and telephone number;(b) the nature of the disability or condition; and(c) the manner in which the disability or condition contributed to the occurrence of the INCIDENT |
| ANSWER: | NO |

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| QUESTION: | 2.13 Within 24 hours before the INCIDENT did you or any person involved in the INCIDENT use or take any of the following substances: alcoholic beverage, marijuana, or other drug or medication of any kind (prescription or not)? If so, for each person state: (a) the name, ADDRESS, and telephone number;(b) the nature or description of each substance;(c) the quantity of each substance used or taken;(d) the date and time of day when each substance was used or taken;(e) the ADDRESS where each substance was used or taken;(f) the name, ADDRESS, and telephone number of each person who was present when each substance was used or taken; and(g) the name, ADDRESS, and telephone number of any HEALTH CARE PROVIDER who prescribed or furnished the substance and the condition for which it was prescribed or furnished. |
| ANSWER: | I have no such knowledge |

FIG 3.1-3.7

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| QUESTION: | 3.1 Are you a corporation? If so, state:(a) the name stated in the current articles of incorporation;(b) all other names used by the corporation during the past 10 years and the dates each was used;(c) the date and place of incorporation;(d) the ADDRESS of the principal place of business; and(e) whether you are qualified to do business in California. |
| ANSWER: | I am a physical person, not a corporation |

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| QUESTION: | 3.2 Are you a partnership? |
| ANSWER: | no |

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| QUESTION: | 3.3 Are you a limited liability company? |
| ANSWER: | no |

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| QUESTION: | 3.4 Are you a joint venture? |
| ANSWER: | no |

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| QUESTION: | 3.5 Are you an unincorporated association? |
| ANSWER: | no |

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| QUESTION: | 3.6 Have you done business under a fictitious name during the past 10 years |
| ANSWER: | no |

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| --- | --- |
| QUESTION: | 3.7 Within the past five years has any public entity registered or licensed your business? |
| ANSWER: | I am a physical person, not a business, and I was not licensed by any public entity |

FIG 15.1

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| --- | --- |
| QUESTION: | Identify each denial of a material allegation and each special or affirmative defense in your pleadings and for each:1. state all facts upon which you base the denial or special or affirmative defense;
2. state the names, ADDRESSES, and telephone numbers of all PERSONS who have knowledge of those facts; and
3. identify all DOCUMENTS and other tangible things that support your denial or special or affirmative defense, and state the name, ADDRESS, and telephone number of the PERSON who has each DOCUMENT.
 |
| ANSWER: | I am not self represented, I do not understand American Law, even though I was advised by my attorney of available defenses in this case, I specifically hired an attorney to provide the answer and list all defenses. I refer you to my answer filed with the court to answer this question. In regard to any basis for denial, I know only one material fact, that the Plaintiff was never an employee of the corporation, I know the only person who is aware of that and it is Maksim Basiro, our trainer, his address is 5502 Penfield Ave Woodland Hills CA 91364, his phone is 818 963 2253, and I have only one document supporting this – it is the training agreement that I provided earlier.  |

**Korotun’s Responses to FIE**

FIE 216.1

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| QUESTION: | 216.1 Identify each denial of a material allegation and each special or affirmative defense in your PLEADINGS and for each:(a) state all facts upon which you base the denial or special or affirmative defense;(b) state the names, ADDRESSES, and telephone numbers of all PERSONS who have knowledge of those facts; and(c) identify all DOCUMENTS and all other tangible things, that support your denial or special or affirmative defense, and state the name, ADDRESS, and telephone number of the PERSON who has each DOCUMENT . |
| ANSWER: | 1. I am not self represented, I do not understand American Law, even though I was advised by my attorney of available defenses in this Case, I specifically hired an attorney to provide the answer and list all defenses. I refer you to my answer filed with the court to answer this question
2. I know the only person who is aware of the and it is Maksim Basiro, our trainer, his contact information was already provided above,
3. I have only one document supporting this – it is the training agreement that I provided earlier.
 |

**Korotun’s Responses to SI**

SI 1

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| --- | --- |
| QUESTION: | STATE the name, address, telephone number, and relation to of each PERSON who prepared or assisted in the preparation of the responses. (Unless otherwise stated in these Special Interrogatories, the term “STATE” shall mean to describe all facts in complete detail regarding the subject matter referenced in the inquiry, including all PERSONS with information, their last known name, telephone number, address, and/or whether they are currently employed with DEFENDANT; and describe any documents and any other descriptive information regarding the subject matter referenced in the inquiry…. |
| ANSWER: | I prepared responses myself. My attorney was simply typing my responses. My info:Ekaterina KorotunTel: 818 963 2253Address: 5502 Penfield AveWoodland Hills CA 91364  |

**Korotun’s Responses to RFP**

RFP 1-50 – p. 1 of Plaintiff’ instructions to his request for production instructs respondent to provide “all responsive DOCUMENTS which are in Defendant’s actual or constructive possession, custody, and/or control”. I provided the information to the best of my knowledge in regard documents in my possession. The only document in my possession is the training agreement, that I previously provided.

**VERIFICATION**

I, Ekaterina Korotun, declare under penalty of perjury under the laws of the State of California that the above AMENDED RESPONSES are true and correct to the best of my knowledge.

RESPECTFULLY SUBMITTED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

By EKATERINA KOROTUN

DATED: 3/10/2023

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| --- | --- |
| **Dylan Yeiser-Fodness** **PLAINTIFF,** **VS.****Master Dog Training, et al.** **DEFENDANTS** | **CASE NO. 22STCV21852****DEFENDANT 5 STAR K-9 ACADEMY, INC. DBA MASTER DOG TRAINING AMENDED RESPONSES** |

**AMENDED RESPONSES**

Questions to DEFENDANT 5 STAR K-9 ACADEMY, INC. DBA MASTER DOG TRAINING ( hereinafter – Defendnat or “5 Star”) are answered by the person most knowledgeable, Maksim Basiro, dog trainer.

**5 Star’s Responses to FIG**

FIG 1.1

|  |  |
| --- | --- |
| QUESTION: | State the name, ADDRESS, telephone number, and relationship to you of each PERSON who prepared or assisted in the preparation of the responses to these interrogatories. (Do not identify anyone who simply typed or reproduced the responses.) |
| ANSWER: | I prepared responses myself. My attorney was simply typing my responses. My info:Maksim BasiroTel: 818 963 2253Address: 5502 Penfield AveWoodland Hills CA 91364Relationship: person most knowledgeable |

FIG 3.7

|  |  |
| --- | --- |
| QUESTION: | 3.7 Within the past five years has any public entity registered or licensed your business? |
| ANSWER: | To the best of my recollection there was a regular city business license obtained but I do not remember where and I do not have any copies of it |

FIG 4.1

|  |  |
| --- | --- |
| QUESTION: | 4.1 At the time of the INCIDENT, was there in effect any policy of insurance through which you were or might be insured in any manner (for example, primary, pro-rata, or excess liability coverage or medical expense coverage) for the damages, claims, or actions that have arisen out of the INCIDENT? If so, for each policy state:(a) the kind of coverage;(b) the name and ADDRESS of the insurance company;(c) the name, ADDRESS, and telephone number of each named insured;(d) the policy number;(e) the limits of coverage for each type of coverage contained in the policy;(f) whether any reservation of rights or controversy or coverage dispute exists between you and the insurance company; and(g) the name, ADDRESS, and telephone number of the custodian of the policy. |
| ANSWER: | To the best of my recollection, our company had workers compensation insurance, I do not remember the terms of coverage, I do not have any copies of the documents but I believe that the coverage was provided by the State Farm |

FIG 12.1

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| --- | --- |
| QUESTION: | 12.1 State the name, ADDRESS, and telephone number of each individual:(a) who witnessed the INCIDENT or the events occurring immediately before or after the INCIDENT;(b) who made any statement at the scene of the INCIDENT;(c) who heard any statements made about the INCIDENT by any individual at the scene; and(d) who YOU OR ANYONE ACTING ON YOUR BEHALF claim has knowledge of the INCIDENT (except for expert witnesses covered by Code of Civil Procedure section 2034). |
| ANSWER: | To the best of my understanding the incident means here the fact of employment of the Plaintiff, but to the best of my recollection, Plaintiff was never an employee of the company, her was a trainee, participating in our dog trainer preparation program, and I was actually his trainer teaching him the necessary skills. |

FIG 15.1

|  |  |
| --- | --- |
| QUESTION: | Identify each denial of a material allegation and each special or affirmative defense in your pleadings and for each:(a) state all facts upon which you base the denial or special or affirmative defense;(b) state the names, ADDRESSES, and telephone numbers of all PERSONS who have knowledge of those facts; andidentify all DOCUMENTS and other tangible things that support your denial or special or affirmative defense, and state the name, ADDRESS, and telephone number of the PERSON who has each DOCUMENT. |
| ANSWER: | The company is not self represented, I do not understand American Law, even though I was advised by our attorney of available defenses in this case, the company specifically hired an attorney to provide the answer and list all defenses. I refer you to the company answer filed with the court to answer this question. In regard to any basis for denial, I know only one material fact, that the Plaintiff was never an employee of the corporation, I know the only person who is aware of that and it is Ekaterina Korotun, her address is 5502 Penfield Ave Woodland Hills CA 91364, his phone is 818 963 2253, and I have only one document supporting this – it is the training agreement that I provided earlier. |

**5 Star’s Responses to FIE**

FIE 216.1

|  |  |
| --- | --- |
| QUESTION: | 216.1 Identify each denial of a material allegation and each special or affirmative defense in your PLEADINGS and for each:(a) state all facts upon which you base the denial or special or affirmative defense;(b) state the names, ADDRESSES, and telephone numbers of all PERSONS who have knowledge of those facts; and(c) identify all DOCUMENTS and all other tangible things, that support your denial or special or affirmative defense, and state the name, ADDRESS, and telephone number of the PERSON who has each DOCUMENT . |
| ANSWER: |  The company is not self represented, I do not understand American Law, even though I was advised by our attorney of available defenses in this case, the company specifically hired an attorney to provide the answer and list all defenses. I refer you to the company answer filed with the court to answer this question. In regard to any basis for denial, I know only one material fact, that the Plaintiff was never an employee of the corporation, I know the only person who is aware of that and it is Ekaterina Korotun, her address is 5502 Penfield Ave Woodland Hills CA 91364, his phone is 818 963 2253, and I have only one document supporting this – it is the training agreement that I provided earlier. |

**5 Star’s Responses to SI**

SI 1

1

|  |  |
| --- | --- |
| QUESTION: | STATE the name, address, telephone number, and relation to of each PERSON who prepared or assisted in the preparation of the responses. (Unless otherwise stated in these Special Interrogatories, the term “STATE” shall mean to describe all facts in complete detail regarding the subject matter referenced in the inquiry, including all PERSONS with information, their last known name, telephone number, address, and/or whether they are currently employed with DEFENDANT; and describe any documents and any other descriptive information regarding the subject matter referenced in the inquiry…. |
| ANSWER: | I prepared responses myself. My attorney was simply typing my responses. My info:MAKSIM BASIROTel: 818 963 2253Address: 5502 Penfield AveWoodland Hills CA 91364  |

**5 Star’s Responses to RFP**

RFP 1-50 – p. 1 of Plaintiff’ instructions to his request for production instructs respondent to provide “all responsive DOCUMENTS which are in Defendant’s actual or constructive possession, custody, and/or control”. I provided the information to the best of my knowledge in regard documents in my possession. The only document in my possession is the training agreement, that I previously provided.

**VERIFICATION**

I, MAKSIM BASIRO, declare under penalty of perjury under the laws of the State of California that the above AMENDED RESPONSES are true and correct to the best of my knowledge.

RESPECTFULLY SUBMITTED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

By MAKSIM BASIRO

DATED: 3/10/2023