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Evan M. Alvarez
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Charles F. Hardie, VI
(Special Counsel)
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Andrew F. Barr
William P. Self



**HAMMONDS, SILLS, ADKINS,
GUICE, NOAH & PERKINS LLP**

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2023 SEP 20 P 12:32

Nancy Cooper

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Timothy J. Rivieria
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(Special Counsel)
John B. Saye
(Special Counsel)
Casey C. Hollins
Justin N. Myers
Benjamin D. Jones
Aaron J. Lawler

Of Counsel

Kenneth F. Sills

September 18, 2023

Via U.S. Mail

Honorable David Stamey
Clerk, 10th JDC, Natchitoches Parish
P. O. Box 476
Natchitoches, LA 71458-0476

RE: City of Natchitoches v. Ratcliff Construction, LLC, et al;
Docket No. 94251 Division A
10th Judicial District Court; Parish of Natchitoches
Our File No.: CNAT-1005

Dear Clerk:

Enclosed please find an original plus one (1) copy of a Petition for Breach of Contract, Request for Notice, as well as Interrogatories and Requests for Production of Documents filed herein on behalf of the City of Natchitoches. Please file into the record and serve the defendants as requested. Also, please return date-stamped copies to our office.

The City of Natchitoches is a political subdivision of the State of Louisiana and as such is exempt from assessment of any filing fees and/or bonds associated with this judicial proceeding (Louisiana Revised Statute 13:4521 and 4581).

With kindest regards, I remain

Sincerely,

JONATHAN D. BLAKE

JDB/jdb
Enclosures

cc: Alex Washington (via email)
Stacy Washington (via email)

CITY OF NATCHITOCHE

DOCKET NO. 94251/DIVISION A

V.

10TH JUDICIAL DISTRICT COURT

RATCLIFF CONSTRUCTION, LLC,
WESTERN SURETY COMPANY,
WHLC ARCHITECTURE, LLC,
AND DEF INSURANCE COMPANY PARISH OF NATCHITOCHE
STATE OF LOUISIANA

FILED
SEP 20 P 10:32
J. M. Cooper

PETITION FOR BREACH OF CONTRACT

NOW INTO COURT, through undersigned counsel, comes Plaintiff, the CITY OF NATCHITOCHE (hereinafter sometimes referred to as "City"), who brings suit for the reasons set forth:

1.

The City names the following defendants in this proceeding:

- (a) Ratcliff Construction Company, LLC (hereinafter, "Ratcliff"), a limited liability company domiciled in the State of Louisiana, Parish of Rapides, 3900 Lee Drive, Alexandria, LA 71302;
- (b) Washer, Hill, Lipscomb, Cabaniss Architecture, LLC (hereinafter, "WHLC"), a limited liability company domiciled in the State of Louisiana, Parish of East Baton Rouge, 1744 Oakdale Drive, Baton Rouge, LA 70810;
- (c) Western Surety Company, a foreign insurance company, licensed to do and doing business in the State of Louisiana who may be served through the Secretary of State at 8585 Archives Avenue in Baton Rouge, LA 70809;
- (d) ABC Insurance Company, a foreign insurance company, licensed to do and doing business in the State of Louisiana;

2.

Under La. R.S. 38:2181 and 13:5104, this Court has jurisdiction and venue over this dispute.

3.

On or about September 17, 2018, the City entered into a contract with Ratcliff for the construction of a Sports and Recreational Park in Natchitoches, LA known as "Parc Natchitoches" (hereinafter "Project").

4.

The plans and specifications for the Project were prepared by WHLC in furtherance of an architectural contract with the City for the design of the Project.

5.

Pursuant to the provisions of the construction contract and in consideration of compensation paid to Ratcliff, Ratcliff agreed to purchase all materials and construct the Project in accordance with WHLC's plans and specifications.

6.

The Project was accepted as substantially complete on January 21, 2020 and a Notice of Acceptance was recorded in the office of the Clerk of Court and Recorder of Mortgages for the Parish of Natchitoches.

7.

Ratcliff and Fenstermaker were promptly paid all sums due to them under the terms of the contract.

8.

Pursuant to the contract between the City and Ratcliff, Ratcliff agreed to construct and complete the project in a thorough and workmanlike manner, and in strict accordance with the plans and specifications.

9.

Pursuant to the contract between the City and WHLC, WHLC agreed to provide its services with the professional skill and care consistent with that ordinarily provided by architects practicing in the same locale.

10.

Also, pursuant to the contracts between the City and Ratcliff, as well as the City and WHLC, the defendants are responsible for and are required to indemnify the City to the extent damage is caused by their respective acts or omissions.

11.

Upon information and belief, Western Surety Company issued a performance bond to Ratcliff insuring Ratcliff's full and faithful performance of the work. Western Surety Company is, therefore, jointly and solidarily liable to the City for the damages the City has sustained as a result of Ratcliff's breach of the contract.

12.

Upon information and belief, ABC Insurance Company issued a professional liability policy insuring against WHLC's errors and omissions. ABC Insurance Company is, therefore,

jointly and solidarily liable to the City for the damages the City has sustained as a result of WHLC's breach of its standard of care and breach of the Design Contract.

13.

On or about October 2020, City Officials begin to notice the following defects and damages in and around Parc Natchitoches, including, but not limited to:

1. Slope Erosion behind backstop of Baseball Field No. 5;
2. Extensive Slope Failure behind Outfield Fence of Baseball Field No. 5;
3. Turf Failure of Soccer Fields;
4. Concrete Upheaval and premature cracking beyond what it is normal and customary throughout Parc Natchitoches;
5. Erosion of Earthwork into adjacent Golf Course lakes;
6. Potholes in Asphalt Paving throughout Parc Natchitoches;
7. Erosion caused by open drainage flow into first pond from swale ditches;
8. Failure of turf growth throughout Parc Natchitoches;
9. Sunken area on Field 4 adjacent to the third base side of home plate; and
10. Erosion of earthwork throughout Parc Natchitoches.

14.

Upon information and belief, the defects and/or problems plaguing Parc Natchitoches are the result of:

- (a) Ratcliff's breach of its obligation under the construction contract to construct Parc Natchitoches in strict accordance with the plans and specifications set forth in the construction contract;
- (b) Ratcliff's breach of its obligations under the construction contract to faithfully perform its work in a thorough and workmanlike manner;
- (c) Ratcliff's failure to properly hire or contract with employees, subcontractors, and/or agents who are qualified to construct the recreational park at issue;
- (d) Ratcliff's failure to properly supervise and monitor their employees, subcontractors and/or agents;
- (e) Ratcliff's failure to properly train their employees, subcontractors, and/or agents;
- (f) Ratcliff's failure to adhere to city and/or state codes and/or ordinances;
- (g) Ratcliff's failure construct the park in a workmanlike manner, free from vices and defects and with damage to the subject park; and/or
- (h) Ratcliff's unauthorized burying of wood waste material during the construction of the Parc.

15.

Alternatively, upon information and belief, the defects and/or problems that have plagued Parc Natchitoches and continues to do so are the result of:

- (a) WHLC's breach of its standard of care in its design, inspection, and administration of the project, which has caused or contributed to defects;
- (b) WHLC's failure to exercise the degree of care, skill, and judgment expected of a professional architect/engineer in the design and supervision of the Parc Natchitoches;
- (c) WHLC's failure to properly train their employees, subconsultants and/or agents;
- (d) WHLC's failure to properly supervise and monitor their employees, subconsultants, and/or agents;
- (e) WHLC's failure to exercise to reasonable care and skill in the creation of the plans and specifications for Parc Natchitoches;
- (f) WHLC's failed its duty to keep City informed about the quality of the work performed and report to City known deviations from the contract documents made by Ratcliff; and/or
- (g) WHLC's failure to adhere to city and/or state codes and/or ordinances.

16.

As a result of defendants' breaches of their respective obligations and/or duties of care under their respective contracts with the City, the defendants are liable for the damages the City has sustained in connection with the defects in around the Project, which damages include, but are not limited to:

- (a) any and all costs incurred to identify and repair the defects and/or damage to Parc Natchitoches;
- (b) any and all damages resulting from such breach and/or duty of care;
- (c) attorney's fees; and
- (d) court costs and legal interest from the date of judicial demand.

WHEREFORE, the City of Natchitoches prays that the defendants be served with a copy of this Petition for Breach of Contract and that, after due proceedings, this Honorable Court render a Judgement in favor of the City and against the defendants for all direct and consequential damages the City has sustained, along with all other damages which may be proven at trial together with legal interest from the date of judicial demand, attorney fees, all expert fees, all costs of these proceedings, and all equitable relief to which the plaintiff may be entitled.

Respectfully Submitted,

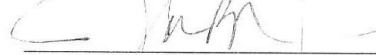
**HAMMONDS, SILLS, ADKINS, GUICE,
NOAH, AND PERKINS LLP**

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JONATHAN D. BLAKE

Bar Roll No.: 30863

Email: jblake@hamsil.com

CHARLES F. HARDIE, VI

Bar Roll No.: 29237

Email: chardie@hamsil.com

Please Serve:

Ratcliff Construction Company, LLC
Registered Agent: Robert T. Ratcliff, Sr.
3900 Lee Drive
Alexandria, LA 71302

Washer, Hill, Lipscomb, Cabaniss Architecture, LLC
Registered Agent: Larche Russell Washer
1744 Oakdale Drive
Baton Rouge, LA 70810

Western Surety Company
(Louisiana Secretary of State)
8585 Archives Avenue
Baton Rouge, LA 70809

CITY OF NATCHITOCHEs

DOCKET NO. 94251 /DIVISION A

V.

10TH JUDICIAL DISTRICT COURT

RATCLIFF CONSTRUCTION, LLC,
AND ABC INSURANCE COMPANY,
WHLC ARCHITECTURE, LLC
AND DEF INSURANCE COMPANY

PARISH OF NATCHITOCHEs
Nancy Cooper

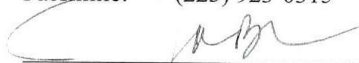
STATE OF LOUISIANA

**REQUEST FOR NOTICE OF TRIAL
DATES, HEARING DATES, ETC.**

Please take notice that Hammonds, Sills, Adkins, Guice, Noah, and Perkins LLP, attorneys for defendant, **CITY OF NATCHITOCHEs**, does hereby request written notice of the date of trial of the above matter as well as notice of hearings (whether on the merits or otherwise), orders, judgments, and interlocutory decrees, and any and all formal steps taken by the parties herein, the judge or any member of court as provided in Louisiana Code of Civil Procedure, particularly 1572, 1913, and 1914.

Respectfully Submitted,

**HAMMONDS, SILLS, ADKINS, GUICE,
NOAH, AND PERKINS LLP**
2431 S. Acadian Thruway, Suite 600
Baton Rouge, Louisiana 70808
Telephone: (225) 923-3462
Facsimile: (225) 923-0315



JONATHAN D. BLAKE
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CHARLES F. HARDIE, VI
Bar Roll No.: 29237
Email: chardie@hamsil.com

CITY OF NATCHITOCHEs

DOCKET NO. 94251/DIVISION A

V.

10TH JUDICIAL DISTRICT COURT

03 12 20 P 2:33

RATCLIFF CONSTRUCTION
COMPANY, LLC, AND
ABC INSURANCE COMPANY,
WHLC ARCHITECTURE, LLC
AND DEF INSURANCE COMPANY

PARISH OF NATCHITOCHEs *Janey Cooper*

STATE OF LOUISIANA

INTERROGATORIES

TO: WHLC ARCHITECTURE, LLC
through their attorney of record:

PLEASE TAKE NOTICE that on authority of Articles 1457 and 1458 of the Louisiana Code of Civil Procedure, the **CITY OF NATCHITOCHEs** propounds the following interrogatories to the defendant, **WHLC ARCHITECTURE, LLC**, through their attorney of record, _____, to be answered, fully, in writing and under oath within thirty (30) days of receipt thereof and provided to the office of Jonathan D. Blake, Esq., Hammonds, Sills, Adkins, Guice, Noah, and Perkins LLP, 2431 S. Acadian Thruway, Suite 600, Baton Rouge, Louisiana 70808. **To the full extent required by Article 1428 of the Louisiana Code of Civil Procedure, these interrogatories are deemed to be continuing, and supplementation of all responses is required as information changes and/or becomes available.**

DEFINITIONS

As used in these Interrogatories, the following definitions apply:

1. "Petition" refers to the Petition for Damages filed by plaintiff, **CITY OF NATCHITOCHEs**, in this matter.
2. "Accident" refers to the incident alleged in the Petition and to any other incident in which you may have been involved, whether or not injuries were sustained or reported.
3. "Defendant" refers to **WHLC ARCHITECTURE, LLC**.
4. "Person" refers to and includes, a natural person, firm, association, organization, partnership, business trust, corporation and/or government entity.
5. "Custodian" refers to each person having possession, custody or control of the item or items described.
6. "Writing" or "Document" refers to every writing and record of every type and description, including, but not limited to correspondence, memoranda, drawings, surveys, plans, canceled checks, handwritten notes, tapes, and records of all types, studies, books, pamphlets, schedules, pictures, graphs, charts, maps, photographs, films, video tapes, x-ray reports, medical records, deeds, contracts, logs,

computer punch-cards, computer tapes, computer software, voice recordings, and every other device or medium on which or through which information of any type is transmitted, recorded, or preserved. The term "writing" or "document" also includes every copy of an original writing, unless the copy is an identical copy of the original.

7. "You" and "Your" refers to the defendant, **WHLC ARCHITECTURE, LLC**.
8. **WHLC ARCHITECTURE, LLC** is hereinafter sometimes referred to as "WHLC."
9. **RATCLIFF CONSTRUCTION COMPANY, LLC** is hereinafter sometimes referred to as "RATCLIFF" or "Contractor."
10. The terms "Project" or "Parc Natchitoches" refer to the construction project entitled "Natchitoches Sports and Recreation Center, Natchitoches, Louisiana," performed on behalf of the City of Natchitoches.

INSTRUCTIONS

A. If you contend that one or more parts of an interrogatory are objectionable, answer each portion of the interrogatory that you do not contend is objectionable.

B. Whenever an address and telephone number of a natural person are requested, you are requested to furnish both business and residence addresses and telephone numbers of that person last known to you, whether or not you believe the data to be current. If you have only a partial address (e.g., the city and state), it should be stated.

C. Whenever you are asked to "identify" or to "describe" a document, you are requested to provide the following information with respect to that document (all requests may be satisfied by attaching a legible copy of the document to your answers hereto):

1. A description of the nature (e.g., memorandum, letter, photograph) and substance of the document, with sufficient particularity to enable the document to be identified for purposes of a document request or a subpoena;
2. The date, if any in which the document bears as an indicated date of preparation, mailing or distribution;
3. The identity of each person, if any, who executed or is otherwise indicated as the author of, the document;
4. The identity of each person, if any, to whom the document is addressed or who is shown as having received the original or a copy;
5. The present location of the original of the document; and
6. The identity of each person having possession, custody or control of the document.

D. When you are asked to "identify" or to state "state the identity of" a person, you are requested to provide the following information with respect to that person:

1. Full name;
2. The last business address known to you;
3. Last business telephone number known to you;
4. Last residence address known to you;
5. Last residence telephone number known to you;
6. Name of most recent employer known to you; and
7. Relationship, if any, to you or to any other party to this action.

INTERROGATORY NO. 1:

Please identify the names and addresses of all subconsultants with whom WHLC subcontracted with for the Parc Natchitoches project. Your answer should include a description of the services that each subconsultant was hired to perform.

INTERROGATORY NO. 2:

Please identify the names, addresses, and job titles of all WHLC employees who performed any work of any nature for the Parc Natchitoches project.

INTERROGATORY NO. 3:

Please provide a description of the nature of work performed at Parc Natchitoches by each employee listed in response to interrogatory no. 2 above.

INTERROGATORY NO. 4:

Please identify whether WHLC ever discovered any defects, deficiencies, or deviations from the contract documents in the construction of Parc Natchitoches. If so, please identify who discovered the deficiency, defect, or deviation, when the deficiency, deviation, or defect was discovered, and the nature of deficiency, deviation, or defect discovered.

INTERROGATORY NO. 5:

For any deficiency, defect, or deviation in the design or construction of Parc Natchitoches discovered by WHLC and identified in interrogatory no. 4, please indicate whether such deficiency, design, or deviation was ever brought to the attention of any City of Natchitoches employee and/or the Contractor. For any deficiency, deviation, or defect noted, please identify who, with the City of Natchitoches or the Contractor, was informed of such deficiency, deviation,

or defect, when he/she was informed, how he/she was informed, and who at WHLC reported the deficiency.

INTERROGATORY NO. 6:

Please provide the name, address, and telephone number of each and every individual providing information in response to these interrogatories.

Respectfully Submitted,

**HAMMONDS, SILLS, ADKINS, GUICE,
NOAH, AND PERKINS LLP**

2431 S. Acadian Thruway, Suite 600

Baton Rouge, Louisiana 70808

Telephone: (225) 923-3462

Facsimile: (225) 923-0315



JONATHAN D. BLAKE

Bar Roll No.: 30863

Email: jblake@hamsil.com

CHARLES F. HARDIE, VI

Bar Roll No.: 29237

Email: chardie@hamsil.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Interrogatories has this day been forwarded by email and U.S. Mail, postage paid to counsel of record.

Baton Rouge, Louisiana this 18th day of September 2023.



JONATHAN D. BLAKE

CITY OF NATCHITOCHEs

DOCKET NO. 94251 /DIVISION A

V.

10TH JUDICIAL DISTRICT COURT

RATCLIFF CONSTRUCTION, LLC,
AND ABC INSURANCE COMPANY,
WHLC ARCHITECTURE, LLC
AND DEF INSURANCE COMPANY

PARISH OF NATCHITOCHEs
STATE OF LOUISIANA

2023 SEP 20 IP 10:33

Nancy Cooper

REQUESTS FOR PRODUCTION OF DOCUMENTS

TO: WHLC ARCHITECTURE, LLC
through their attorney of record:

PLEASE TAKE NOTICE that on authority of Article 1461 of the Code of Civil Procedure, the CITY OF NATCHITOCHEs propounds the following requests to the defendant, WHLC ARCHITECTURE, LLC, through their attorney of record, _____, produce the following documents and things for inspection, sampling, photocopying, or examination within thirty (30) days of receipt of this request, at the offices of Jonathan D. Blake, Esq., Hammonds, Sills, Adkins, Guice, Noah, and Perkins LLP, 2431 S. Acadian Thruway, Suite 600, Baton Rouge, Louisiana 70808. (Defendant herein is specifically directed to the "definitions" and "preliminary instructions" sections of the Requests propounded herein.)

ADDITIONAL INSTRUCTIONS AND DEFINITIONS

A. In producing the documents designated below, you are requested to furnish all documents in your possession, custody, or control, regardless of whether the documents are currently in your possession or in the possession of your attorneys, employees, agents, investigators or other representatives, regardless of who obtained the documents on your behalf, and regardless of the source from which the documents were obtained on your behalf.

B. "Document" is meant to include, without limiting its general character, all drafts and final versions of contracts, agreements, correspondence, handwritten notes, telegrams, reports, records, schedules, invoices, purchase orders, books, pamphlets, accounting records and work sheets, computer programs, inputs or outputs, tapes, notes, estimates, summaries, appraisals, maps, photographs, diagrams, sketches, inventories, memoranda, films, video tapes, canceled checks, bank statements, insurance policies, insurance claim forms, medical records, charts, diagnostics films, studies, pictures and voice recordings, and every other device or medium in which or through which information of any type is transmitted, recorded or preserved. It also includes original documents and every copy that is not an identical duplicate of the original.

DOCUMENTS TO BE PRODUCED

REQUEST FOR PRODUCTION NO. 1:

Copies of all photographs, movies, drawings, diagrams, or videotapes evidencing any of the issues involved in this lawsuit.

REQUEST FOR PRODUCTION NO. 2:

Copies of all reports generated by any expert, whether or not to be used at the trial of this matter.

REQUEST FOR PRODUCTION NO. 3:

Copies of any statements from any person who purports to have knowledge, whether direct or indirect, of the incident(s) which is the subject of this litigation.

REQUEST FOR PRODUCTION NO. 4:

A copy of any exhibit which you intend to use at the trial of this matter.

REQUEST FOR PRODUCTION NO. 5:

A copy of any and all correspondence between Ratcliff Construction Company, LLC representatives and the WHLC Architecture, LLC representatives relative to the Parc Natchitoches construction project.

REQUEST FOR PRODUCTION NO. 6:

A copy of any and all correspondence between WHLC Architecture, LLC representatives and the C.H. Fenstermaker, LLC relative to the Parc Natchitoches construction project.

REQUEST FOR PRODUCTION NO. 7:

Please produce copies of any and all observation and/or job reports, logs, daily entries, or any other documents relative to the Parc Natchitoches project.

REQUEST FOR PRODUCTION NO. 8:

Please produce copies of any and all contracts between WHLC Architecture, LLC with any subconsultants relative to the Parc Natchitoches project.

REQUEUST FOR PRODUCTION NO. 9:

Please produce copies of any and all documents regarding any work with WHLC Architecture, LLC did on any of the projects which are described in plaintiff's Petition for Breach of Contract (at Parc Natchitoches). This request includes the following:

- a. all contracts and subcontracts; and
- b. all construction plans, drawings, specifications, requests for information; change orders, invoices, test results, punch lists, etc.

REQUEST FOR PRODUCTION NO. 10:

Please provide any and all notes, correspondence, and documents relative to any and all OAC meetings relative to Parc Natchitoches.

REQUEST FOR PRODUCTION NO. 11:

Please produce copies of any and all Architect Supplemental Instruction Forms (ASI) issued in connection with the Parc Natchitoches project.

REQUEST FOR PRODUCTION NO. 12:

Please produce copies of any Substitution Requests and/or submittals received from the Contractor on the Parc Natchitoches Project, including Your responses thereto.

Respectfully Submitted,

**HAMMONDS, SILLS, ADKINS, GUICE,
NOAH, AND PERKINS LLP**

2431 S. Acadian Thruway, Suite 600

Baton Rouge, Louisiana 70808

Telephone: (225) 923-3462

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Bar Roll No.: 30863

Email: jblake@hamsil.com

CHARLES F. HARDIE, VI

Bar Roll No.: 29237

Email: chardie@hamsil.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Requests for Production has this day been forwarded by email and U.S. Mail, postage paid to counsel of record.

Baton Rouge, Louisiana this 18th day of September 2023.



JONATHAN D. BLAKE

CITY OF NATCHITOCHE

DOCKET NO. 94251 / DIVISION A

V.

10TH JUDICIAL DISTRICT COURT

2023 SEP 20 12:34

RATCLIFF CONSTRUCTION
COMPANY, LLC, AND
ABC INSURANCE COMPANY,
WHLC ARCHITECTURE, LLC
AND DEF INSURANCE COMPANY

PARISH OF NATCHITOCHE

Mary Boyer

STATE OF LOUISIANA

INTERROGATORIES

TO: RATCLIFF CONSTRUCTION COMPANY, LLC
through their attorney of record:

PLEASE TAKE NOTICE that on authority of Articles 1457 and 1458 of the Louisiana Code of Civil Procedure, the **CITY OF NATCHITOCHE** propounds the following interrogatories to the defendant, **RATCLIFF CONSTRUCTION COMPANY, LLC**, through their attorney of record, _____, to be answered, fully, in writing and under oath within thirty (30) days of receipt thereof and provided to the office of Jonathan D. Blake, Esq., Hammonds, Sills, Adkins, Guice, Noah, and Perkins LLP, 2431 S. Acadian Thruway, Suite 600, Baton Rouge, Louisiana 70808. **To the full extent required by Article 1428 of the Louisiana Code of Civil Procedure, these interrogatories are deemed to be continuing, and supplementation of all responses is required as information changes and/or becomes available.**

DEFINITIONS

As used in these Interrogatories, the following definitions apply:

1. "Petition" refers to the Petition for Damages filed by plaintiff, **CITY OF NATCHITOCHE**, in this matter.
2. "Accident" refers to the incident alleged in the Petition and to any other incident in which you may have been involved, whether or not injuries were sustained or reported.
3. "Defendant" refers to **RATCLIFF CONSTRUCTION COMPANY, LLC**.
4. "Person" refers to and includes, a natural person, firm, association, organization, partnership, business trust, corporation and/or government entity.
5. "Custodian" refers to each person having possession, custody or control of the item or items described.
6. "Writing" or "Document" refers to every writing and record of every type and description, including, but not limited to correspondence, memoranda, drawings, surveys, plans, canceled checks, handwritten notes, tapes, and records of all types, studies, books, pamphlets, schedules, pictures, graphs, charts, maps, photographs, films, video

tapes, x-ray reports, medical records, deeds, contracts, logs, computer punch-cards, computer tapes, computer software, voice recordings, and every other device or medium on which or through which information of any type is transmitted, recorded, or preserved. The term "writing" or "document" also includes every copy of an original writing, unless the copy is an identical copy of the original.

7. "You" and "Your" refers to the defendant, **RATCLIFF CONSTRUCTION COMPANY, LLC**.
8. **RATCLIFF CONSTRUCTION COMPANY, LLC** is hereinafter sometimes referred to as "RATCLIFF."
9. The terms "Project" or "Parc Natchitoches" refer to the construction project entitled "Natchitoches Sports and Recreation Center, Natchitoches, Louisiana," performed on behalf of the City of Natchitoches.
10. The terms "Architect" or "WHLC" refer to the **WHLC ARCHITECTURE, LLC**, the Architect of record on the Project.

INSTRUCTIONS

A. If you contend that one or more parts of an interrogatory are objectionable, answer each portion of the interrogatory that you do not contend is objectionable.

B. Whenever an address and telephone number of a natural person are requested, you are requested to furnish both business and residence addresses and telephone numbers of that person last known to you, whether or not you believe the data to be current. If you have only a partial address (e.g., the city and state), it should be stated.

C. Whenever you are asked to "identify" or to "describe" a document, you are requested to provide the following information with respect to that document (all requests may be satisfied by attaching a legible copy of the document to your answers hereto):

1. A description of the nature (e.g., memorandum, letter, photograph) and substance of the document, with sufficient particularity to enable the document to be identified for purposes of a document request or a subpoena;
2. The date, if any in which the document bears as an indicated date of preparation, mailing or distribution;
3. The identity of each person, if any, who executed or is otherwise indicated as the author of, the document;
4. The identity of each person, if any, to whom the document is addressed or who is shown as having received the original or a copy;
5. The present location of the original of the document; and
6. The identity of each person having possession, custody or control of the document.

D. When you are asked to "identify" or to state "state the identity of" a person, you are requested to provide the following information with respect to that person:

1. Full name;
2. The last business address known to you;
3. Last business telephone number known to you;
4. Last residence address known to you;
5. Last residence telephone number known to you;
6. Name of most recent employer known to you; and
7. Relationship, if any, to you or to any other party to this action.

INTERROGATORY NO. 1:

Please identify the names and addresses of all subcontractors, and include a description of their respective scope of work, with whom Ratcliff Construction Company, LLC subcontracted with for the Parc Natchitoches project.

INTERROGATORY NO. 2:

Please identify the names, addresses, and job titles of all Ratcliff employees who performed any work of any nature for the Parc Natchitoches project from 2018 to present.

INTERROGATORY NO. 3:

Please provide a description of the nature of work performed at Parc Natchitoches by each employee listed in response to interrogatory no. 2.

INTERROGATORY NO. 4:

Please identify whether Ratcliff ever discovered or identified any deficiencies in the design or construction of Parc Natchitoches. If so, please identify who discovered the deficiency, when the deficiency was discovered, and the nature of deficiency discovered.

INTERROGATORY NO. 5:

For any deficiency in the design or construction of Parc Natchitoches discovered or identified by Ratcliff and identified in interrogatory no. 4, please indicate whether such deficiency was ever brought to the attention of any City of Natchitoches employee or the Project Architect. For any deficiency noted, please identify who was informed of such deficiency, when he/she was informed, how he/she was informed, and who at Ratcliff reported the deficiency.

INTERROGATORY NO. 6:

Please provide the name, address, and telephone number of each and every individual providing information in response to these interrogatories.

INTERROGATORY NO. 7:

Please provide the name, contact information, and a description of responsibility for any and all material suppliers from whom Ratcliff procured any materials for use on the Project.

INTERROGATORY NO. 8:

Did Ratcliff perform, or have performed, any tests on any portion of the Project as Ratcliff was performing its work. If so, please describe any said tests.

INTERROGATORY NO. 9:

Please give the full name, address, telephone number and present employment of each lay person who, at this time, you believe to have discoverable information concerning this matter. Please also state the information you believe such person possesses.

INTERROGATORY NO. 10

Please give the full name, address, telephone number and present employment of each person you may call as an expert witness at the trial of this matter. Also, please state the subject matter on which such expert is expected to testify, the substance of the facts and opinions to which each expert is expected to testify, and a summary of the grounds for each opinion expected to be expressed by such expert.

Respectfully Submitted,

**HAMMONDS, SILLS, ADKINS, GUICE,
NOAH, AND PERKINS LLP**
2431 S. Acadian Thruway, Suite 600
Baton Rouge, Louisiana 70808
Telephone: (225) 923-3462
Facsimile: (225) 923-0315



JONATHAN D. BLAKE
Bar Roll No.: 30863
Email: jblake@hamsil.com
CHARLES F. HARDIE, VI
Bar Roll No.: 29237
Email: chardie@hamsil.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Interrogatories has this day been forwarded by email and U.S. Mail, postage paid to counsel of record.

Baton Rouge, Louisiana this 18th day of September 2023.



JONATHAN D. BLAKE

CITY OF NATCHITOCHEs

DOCKET NO. 94251 /DIVISION A

FILED
2023 SEP 20 P 12:34
J. Bruce Cooper

V.

10TH JUDICIAL DISTRICT COURT

RATCLIFF CONSTRUCTION, LLC,
AND ABC INSURANCE COMPANY,
WHLC ARCHITECTURE, LLC
AND DEF INSURANCE COMPANY

PARISH OF NATCHITOCHEs
STATE OF LOUISIANA

REQUESTS FOR PRODUCTION OF DOCUMENTS

TO: RATCLIFF CONSTRUCTION COMPANY, LLC
through their attorney of record:

PLEASE TAKE NOTICE that on authority of Article 1461 of the Code of Civil Procedure, the **CITY OF NATCHITOCHEs** propounds the following requests to the defendant, **RATCLIFF CONSTRUCTION COMPANY, LLC**, through their attorney of record, _____, produce the following documents and things for inspection, sampling, photocopying, or examination within thirty (30) days of receipt of this request, at the offices of Jonathan D. Blake, Esq., Hammonds, Sills, Adkins, Guice, Noah, and Perkins LLP, 2431 S. Acadian Thruway, Suite 600, Baton Rouge, Louisiana 70808. (Defendant herein is specifically directed to the "definitions" and "preliminary instructions" sections of the Requests propounded herein.)

ADDITIONAL INSTRUCTIONS AND DEFINITIONS

A. In producing the documents designated below, you are requested to furnish all documents in your possession, custody, or control, regardless of whether the documents are currently in your possession or in the possession of your attorneys, employees, agents, investigators or other representatives, regardless of who obtained the documents on your behalf, and regardless of the source from which the documents were obtained on your behalf.

B. "Document" is meant to include, without limiting its general character, all drafts and final versions of contracts, agreements, correspondence, handwritten notes, telegrams, reports, records, schedules, invoices, purchase orders, books, pamphlets, accounting records and work sheets, computer programs, inputs or outputs, tapes, notes, estimates, summaries, appraisals, maps, photographs, diagrams, sketches, inventories, memoranda, films, video tapes, canceled checks, bank statements, insurance policies, insurance claim forms, medical records, charts, diagnostics films, studies, pictures and voice recordings, and every other device or medium in which or through

which information of any type is transmitted, recorded or preserved. It also includes original documents and every copy that is not an identical duplicate of the original.

DOCUMENTS TO BE PRODUCED

REQUEST FOR PRODUCTION NO. 1:

Copies of all photographs, movies, drawings, diagrams, or videotapes evidencing any of the issues involved in this lawsuit.

REQUEST FOR PRODUCTION NO. 2:

Copies of all reports generated by any expert, whether or not to be used at the trial of this matter.

REQUEST FOR PRODUCTION NO. 3:

Copies of any statements from any person who purports to have knowledge, whether direct or indirect, of the incident(s) which is the subject of this litigation.

REQUEST FOR PRODUCTION NO. 4:

A copy of any exhibit which you intend to use at the trial of this matter.

REQUEST FOR PRODUCTION NO. 5:

A copy of any and all correspondence between Ratcliff Construction Company, LLC representatives and the WHLC Architecture, LLC representatives relative to the Parc Natchitoches construction project.

REQUEST FOR PRODUCTION NO. 6:

A copy of any and all correspondence between Ratcliff Construction Company, LLC representatives and the C.H. Fenstermaker, LLC relative to the Parc Natchitoches construction project.

REQUEST FOR PRODUCTION NO. 7:

Please provide a copy of any and all communications exchanged between You and any other third person regarding and/or relating to the Project.

REQUEST FOR PRODUCTION NO. 8:

Please produce copies of any and all observation and/or job reports logs, daily entries, or any other documents relative to the Parc Natchitoches project.

REQUEST FOR PRODUCTION NO. 9:

Please produce copies of all contracts between Ratcliff Construction Company, LLC with any subcontractors relative to the Parc Natchitoches project.

Respectfully Submitted,

**HAMMONDS, SILLS, ADKINS, GUICE,
NOAH, AND PERKINS LLP**

2431 S. Acadian Thruway, Suite 600

Baton Rouge, Louisiana 70808

Telephone: (225) 923-3462

Facsimile: (225) 923-0315

JONATHAN D. BLAKE

Bar Roll No.: 30863

Email: jblake@hamsil.com

CHARLES F. HARDIE, VI

Bar Roll No.: 29237

Email: chardie@hamsil.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Requests for Production has this day been forwarded by email and U.S. Mail, postage paid to counsel of record.

Baton Rouge, Louisiana this 18th day of September 2023.

JONATHAN D. BLAKE