

EXHIBIT C

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7 *Attorneys for Defendant*
LLOYD A. WISE MOTORS, INC.

8
9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF SOLANO**
11

12 HUY TRAN and JENNIFER AVILA,
individually, on behalf of all others similarly
13 situated, and as representative aggrieved
employees, SOULINTHONG
14 SOUNGpanya, individually and on behalf
15 of all others similarly situated, FRANK
WILLIAMS III, on behalf of all other
16 similarly situated commission-paid employees
working at Nissan of Vallejo,

17
18 Plaintiffs,

19 v.

20 WISE AUTO GROUP; ANTHONY A.
BATARSE, INC., a California Corporation;
21 LLOYD A. WISE MOTORS, INC., a
California Corporation; LLOYD A. WISE
22 CORP., a California Corporation; VALLEJO
NISSAN, INC., a California Corporation;
23 ANTHONY A. BATARSE MOTORS, INC., a
California Corporation; WISE
24 AUTOMOTIVE, INC., a California
Corporation; WISE NORTH BAY, INC., a
25 California Corporation; OLD TOWN WISE
RIDERS, INC., a California Corporation;
26 WISE VALLEJO, INC., a California
27 Corporation; WISE RIDERS, INC., a
California Corporation; WISE VISION, INC.,
28 a California Corporation; WISE SAN

Case No. FCS055892

Assigned For All Purposes To:
Honorable Stephen Gizzi, Dept. 3

**DEFENDANT LLOYD A. WISE
MOTORS, INC.'S SUPPLEMENTAL
RESPONSE TO FIRST SET OF SPECIAL
INTERROGATORIES PROPOUNDED BY
PLAINTIFF HUY TRAN**

Action Filed: January 7, 2021
FAC Filed: November 17, 2023

Case No. FCS055892

DEFENDANT LLOYD A. WISE MOTORS, INC.'S SUPPLEMENTAL RESPONSE TO FIRST SET OF SPECIAL
INTERROGATORIES PROPOUNDED BY PLAINTIFF HUY TRAN

1 MATEO, INC., a California Corporation;
2 WISE MARIN, INC., a California
3 Corporation; CORONADO BEACH WISE
4 RIDERS, INC., a California Corporation;
5 DEATH VALLEY WISE RIDERS, INC., a
6 California Corporation; REDWOOD WISE
7 RIDERS, INC., a California Corporation; and
8 K.E.W. CORP., a California Corporation; and
9 DOES 9 through 50

Defendants.

1 **SPECIAL INTERROGATORY NO. 4:**

2 What is the average hourly rate for all persons who performed work for YOU at any time
3 from January 7, 2017 to the present?

4 **RESPONSE TO SPECIAL INTERROGATORY NO. 4:**

5 Responding Party objects to this Interrogatory on the grounds it is vague and ambiguous as
6 to the terms “average hourly rate,” and “performed work for YOU.” Responding Party further
7 objects on the ground that the term “performed work” renders this Interrogatory unreasonably
8 overbroad as it potentially encompasses exempt employees, independent contractors, attorneys,
9 and/or persons not employed by Responding Party. Responding Party further objects to this
10 Interrogatory on the ground that it seeks information neither relevant to the subject matter of this
11 litigation, nor reasonably calculated to lead to the discovery of admissible evidence. Responding
12 Party further objects on the ground that Propounding Party’s definition of the term “YOU” is
13 unreasonably overbroad as it includes Responding Party’s “agents, employees, insurance
14 companies, attorneys, accountants, investigators, and anyone else acting on its behalf.”
15 Responding Party further objects to this Interrogatory on the ground it is burdensome and
16 oppressive, in that ascertaining the information necessary to respond would require the review and
17 compilation of information from voluminous records and files.

18 Subject to and without waiving the foregoing objections and the General Objections,
19 Responding Party responds as follows: Pursuant to Code of Civil Procedure section 2030.210(a),
20 and following a *Belaire-West* notice and opt-out process, Responding Party will produce the
21 hourly rate for each non-exempt employee it employed during the relevant time period. Plaintiffs
22 are free to calculate the information sought through this Interrogatory after receipt of this
23 information.

24 **SUPPLEMENTAL RESPONSE TO SPECIAL INTERROGATORY NO. 4:**

25 Subject to and without waiving the general objections and the objections asserted in
26 Responding Party’s previous responses to this Interrogatory, Responding Party responds as
27 follows: Responding Party has conducted a diligent search and reasonable inquiry of all
28 information within its possession, custody, or control and has also made a good faith effort to

1 obtain responsive information by inquiry to natural persons and organizational sources likely to
2 have such knowledge. Responding Party interprets the phrase “persons who performed work” as
3 referring to its non-exempt employees, and interprets the phrase “hourly rate” to mean the base
4 hourly rate of pay, excluding other forms of compensation such as commissions, incentive
5 bonuses, or other non-hourly earnings.

6 Responding Party also notes that the interrogatory does not define how the “average” is to
7 be calculated (e.g., weighted or unweighted, by position, by year, etc.), and the time period
8 covered—spanning over 8 years—makes any single average of limited utility. Nevertheless, based
9 on its available records and internal systems, and for purposes of responding to this interrogatory,
10 Responding Party estimates that the average base hourly rate of pay for non-exempt employees
11 from January 7, 2017 to the present is approximately \$16.22 per hour. This figure is an
12 approximation based on information maintained in the ordinary course of business. It may
13 fluctuate depending on the time frame analyzed, employee classification, work location, and
14 whether the employee earned supplemental compensation in addition to an hourly wage.

15 **SPECIAL INTERROGATORY NO. 5:**

16 State the total number of workweeks worked by all persons who performed work for YOU
17 at any time from January 7, 2017, to the present.

18 **RESPONSE TO SPECIAL INTERROGATORY NO. 5:**

19 Responding Party objects to this Interrogatory on the grounds it is vague and ambiguous as
20 to the terms “workweeks,” “worked,” “by for all persons,” and “performed work for YOU.”
21 Responding Party further objects on the ground that the term “performed work” renders this
22 Interrogatory unreasonably overbroad as it potentially encompasses exempt employees,
23 independent contractors, attorneys, and/or persons not employed by Responding Party.
24 Responding Party further objects to this Interrogatory on the ground that it seeks information
25 neither relevant to the subject matter of this litigation, nor reasonably calculated to lead to the
26 discovery of admissible evidence. Responding Party further objects on the ground that
27 Propounding Party’s definition of the term “YOU” is unreasonably overbroad as it includes
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VERIFICATION

STATE OF CALIFORNIA, COUNTY OF SOLANO

I have read the foregoing **DEFENDANT LLOYD A. WISE MOTORS, INC.'S**
SUPPLEMENTAL RESPONSE TO FIRST SET OF SPECIAL INTERROGATORIES
PROPOUNDED BY PLAINTIFF HUY TRAN and know its contents.

I am Chief Financial Officer of Lloyd A. Wise Motors, Inc., a party to this action, and am
authorized to make this verification for and on its behalf, and I make this verification for that
reason. I am informed and believe and on that ground allege that the matters stated in the
foregoing document are true.

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct.

Executed on 6/3/2025, at Fairfield, California.

Justin Tinker
Print Name of Signatory

Signed by: 
Signature EB7BA6D58B544CC...

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7 *Attorneys for Defendant*
ANTHONY A. BATARSE, INC.

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF SOLANO**

12 HUY TRAN and JENNIFER AVILA,
individually, on behalf of all others similarly
13 situated, and as representative aggrieved
employees, SOULINTHONG
14 SOUNGPANYA, individually and on behalf
of all others similarly situated, FRANK
15 WILLIAMS III, on behalf of all other
similarly situated commission-paid employees
16 working at Nissan of Vallejo,

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22 CORP., a California Corporation; VALLEJO
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California Corporation; WISE
24 AUTOMOTIVE, INC., a California
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25 California Corporation; OLD TOWN WISE
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Corporation; WISE RIDERS, INC., a
27 California Corporation; WISE VISION, INC.,
28 a California Corporation; WISE SAN

Case No. FCS055892

Assigned For All Purposes To:
Honorable Stephen Gizzi, Dept. 3

**DEFENDANT ANTHONY A. BATARSE,
INC.'S SUPPLEMENTAL RESPONSE TO
FIRST SET OF SPECIAL
INTERROGATORIES PROPOUNDED BY
PLAINTIFF HUY TRAN**

Action Filed: January 7, 2021
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DEFENDANT ANTHONY A. BATARSE, INC.'S SUPPLEMENTAL RESPONSE TO FIRST SET OF SPECIAL
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1 MATEO, INC., a California Corporation;
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4 RIDERS, INC., a California Corporation;
5 DEATH VALLEY WISE RIDERS, INC., a
6 California Corporation; REDWOOD WISE
7 RIDERS, INC., a California Corporation; and
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Defendants.

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21 hourly rate for each non-exempt employee it employed during the relevant time period. Plaintiffs
22 are free to calculate the information sought through this Interrogatory after receipt of this
23 information.

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5 commissions, incentive bonuses, or other non-hourly earnings.

6 Responding Party also notes that the interrogatory does not define how the “average” is to
7 be calculated (e.g., weighted or unweighted, by position, by year, etc.), and the time period
8 covered—spanning over 8 years—makes any single average of limited utility. Nevertheless, based
9 on its available records and internal systems, and for purposes of responding to this interrogatory,
10 Responding Party estimates that the average base hourly rate of pay for non-exempt employees
11 from January 7, 2017 to the present is approximately \$16.68 per hour. This figure is an
12 approximation based on information maintained in the ordinary course of business. It may
13 fluctuate depending on the time frame analyzed, employee classification, work location, and
14 whether the employee earned supplemental compensation in addition to an hourly wage.

15 **SPECIAL INTERROGATORY NO. 5:**

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VERIFICATION

STATE OF CALIFORNIA, COUNTY OF SOLANO

I have read the foregoing **DEFENDANT ANTHONY A. BATARSE, INC.'S**
SUPPLEMENTAL RESPONSE TO FIRST SET OF SPECIAL INTERROGATORIES
PROPOUNDED BY PLAINTIFF HUY TRAN and know its contents.

I am Chief Financial Officer of Anthony A. Batarse, Inc., a party to this action, and am
authorized to make this verification for and on its behalf, and I make this verification for that
reason. I am informed and believe and on that ground allege that the matters stated in the
foregoing document are true.

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct.

Executed on 6/3/2025, at Fairfield, California.

Justin Tinker
Print Name of Signatory

Signed by:

Signature
EB7BA6D58B544CC...