

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF

In the Matter of the Marriage of:)	
)	Case No.
Petitioner,)	
)	FIRST REQUEST FOR
and)	PRODUCTION OF DOCUMENTS
)	
Respondent.)	
)	
TO:)	
)	
Petitioner/Repondent)	

Pursuant to ORCP 43, Petitioner requests that you produce and permit Petitioner to inspect and copy the documents listed in Exhibit "1" attached.

To the extent you have any interest in any business entity, including any sole proprietorship, partnership, joint venture or corporation, other than holding publicly traded stock in a corporation, Petitioner requests that you also produce and permit Petitioner to inspect and copy the documents listed in Exhibit "2" for each such entity.

[Exhibit 2 not provided.]

The documents shall be made available on or before the ___ day of _____, at 10 a.m., at _____, or at such place and time as the parties may otherwise agree.

DEFINITIONS

"Documents," when used in this request, refers to (1) all written, recorded, transcribed, punched, taped, filmed or graphic matter of any kind or description, however produced or reproduced, (2) all writings, contracts, agreements, email, correspondence, memoranda, diaries, stenographic or handwritten notes, inter-office or intra-office memoranda and notes of meetings and/or conversations, (3)

calendars, reports, records, permits, licenses, bills, receipts, canceled checks, financial statements, ledgers, journals, invoices, statements, photographs, drawings, charts, reports, summaries, (4) minutes, manuals, opinions, promotional materials, letters and notes, telegrams, offers, telephone records, summaries or records of telephone conversations, summaries of or records of personal conversations, (5) diagrams and other data compilations of any kind or description, and the like, whether printed, recorded, or read out or translated by an electrical, mechanical, or computer process, including drafts of the same, whether sent or received or not, and regardless of their author or origin, which are or which were formerly in the actual or constructive possession, custody or control of the responding party.

The term "document(s)" shall also mean exact copies or reproductions of any of the foregoing items upon which notations in writing, print, or otherwise have been made or which do not appear in the originals.

To the extent that any requested document is stored electronically, please produce such document in its native form and as ordinarily maintained.

The terms "relate" or "relating to" include referring to, concerning, alluding to, responding to, connected with, commenting on, in respect of, about, regarding, discussing, showing, describing, mentioning, reflecting, analyzing, constituting, evidencing, or pertaining to.

You must respond to each numbered request, whether or not you actually have documents that satisfy the request.

If a document is responsive to a request for identification or production and is in your control, but is not in your possession or custody, please identify the person with possession or custody.

If a document was, but is no longer, in your possession or subject to your control, please state (a) what disposition was made of it; (b) by whom; (c) the date or dates or approximate date or dates on which such disposition was made; and (d) why.

These requests do not seek privileged information. If you do not answer any request because of a claim of privilege, please set forth: (a) the privilege claimed; (b) all facts upon which you rely to support the claim of privilege; and (c) identify all documents for which such privilege is claimed.

Unless otherwise stated, these requests seek documents which have been or come into the possession, custody or control of the (Petitioner/Respondent) at any time from _____(the date the parties married) through the date the General Judgment is signed dissolving the marriage.

This Request for Production is a continuing request until the time of trial. As additional documents falling within the terms of this request become available to you, please promptly produce the additional documents.

Dated this __ day of _____.

Signature of Attorney

EXHIBIT 1

1. Tax Returns. All federal and state income tax returns filed by either party or on either party's behalf for the last five years, together with W-2 statements, 1099 statements, K-1 statements and all other attachments, schedules and supporting documents that were filed with or used to prepare the tax returns.
2. Income Records. All records of income earned or received by either party during the last five years which is not included in filed tax returns (for example, municipal bond interest or benefits received from bartering or exchanges, pay stubs).
3. Other Income. All records of income earned or received by either party during any past fiscal or calendar year if income tax returns for that year have not been filed, including W-2 statements, 1099 statements, K-1 statements, payroll statements, interest and dividend statements.
4. Estimated Tax Payments. All documents relating to any personal or business local, state or federal estimated tax payments made by either party or on either party's behalf during any period of time for which income tax returns have not been filed.
5. Year to Date Income. All records of any income earned or received by either party from any source since January 1 of this year, including wage stubs showing gross earnings, payroll deductions and net earnings.
6. Financial Statements/Loan Applications. All financial statements and loan applications prepared by or for either party during the past five years, including any financial statements prepared in connection with obtaining or attempting to obtain any loans. The terms "financial statements" and "loan applications" include income

statements, profit and loss statements, balance sheets, asset and liability statements, statements of net worth, credit card and loan applications.

7. Insurance Policies. All documents relating to insurance policies in

which either party has any interest, including but not limited to:

- A. Life insurance policies, including documentation of any cash value and of loans related to such insurance policies;
- B. Health and accident insurance policies, including documentation of benefits and of the cost of insuring dependents;
- C. Homeowners, renters, automobile or other casualty insurance policies.
- D. Brochures, notices, statements and other documents describing benefits or plan coverage relating to policies above.

8. Title/Registration/Loan Documents. All certificates of title and

registration documents for automobiles, motor vehicles, recreational vehicles, boats, motorcycles and other personal property registered in the name of either party or in which either party has any interest or has use of, whether or not either party's name appears on the actual title or registration documents. If title to any item of property listed in this paragraph is encumbered in any manner, please also provide all documents related to that encumbrance including, but not limited to, registrations, lease agreements, loan documents, and Uniform Commercial Code (UCC) filing statements regarding that property, including the most recent loan statement.

9. Records Concerning Land. All documents relating to real property

in which either party has any interest, including, but not limited to, deeds, mortgages, real estate contracts, appraisals, leases, sales agreements, escrow agreements, title insurance policies, plat maps, most recent statements of assessed value, most recent mortgage or loan statements, including any line-of-credit loan or home equity loan, current property tax statements, and any other security interest (recorded or

unrecorded) in the land.

10. Securities. All documents for the last 24 months relating to negotiable securities in which either party has or has had any interest, including stocks, bonds, secured notes, mutual funds, promissory notes, time certificates of deposit and any other security or investment instrument of any kind in which either party has or has had any interest, including documentation of the nature and extent of the interest, number of shares owned, the tax basis; if publicly traded, the exchange on which such securities are traded; and, if held by a stock brokerage firm, all account statements.

11. Promissory Notes. All promissory notes in either party's name, including those in a party's name along with any other person, whether as borrower or lender, and all documents relating to each such note, including the name, address, telephone number and other contact information for the other parties to the note, payment records regarding the note and all documents describing any security pledged on the note.

12. Safe Deposit Boxes. All documents relating to safe deposit boxes to which either of the parties has access. Documentation of the contents and location of each such safe deposit box.

13. Bank Accounts and Statements. All records for the past 24 months relating to checking, savings, custodial accounts, certificates of deposit, and other financial institution accounts of any nature in the name of either party or in which either party has had any interest or signing privilege during the past two years, whether such account is presently open or closed, including but not limited to:

A. Account statements;

B. Check registers;

- C. Certificates of deposit;
- D. Passbooks;
- E. Cancelled checks;
- F. Any other documents evidencing the value of such accounts and any deposits or withdrawals therefrom; and
- G. Any computer generated summaries of any accounts (e.g., Quicken, QuickBooks, or similar compilations.)

14. Financial Investments. All records for the last 24 months relating to brokerage accounts, mutual funds and other investment accounts of any kind in the name of either party or in which either party has or has had an interest, whether such accounts are presently open or closed.

15. Retirement/Employment-Based Financial Accounts. All records for the last 24 months relating to pension plans, 401(k) plans, IRAs, stock option plans, ESOPs, profit-sharing plans, incentive and thrift plans, deferred compensation plans, annuities and retirement plans of any kind in which either party has any interest or has had any interest within the last 24 months, including, but not limited to:

- A. All regular periodic statements, whether monthly, quarterly, annual or at another interval;
- B. Loan and/or withdrawal documentation;
- C. Plan summary documents;
- D. Documents showing the plan administrator's name, address, telephone number and any other contact information; and
- E. Documents showing the dollar amount of an employee's contribution, the employer's contribution, and/or the monthly benefits, if any, to which either party would be entitled.

16. Reimbursement. All documents relating to expenses incurred by either party which were paid by someone other than one of the parties, or for which

either party received reimbursement from an employer or anyone else within the last five years.

17. Employment Information. All documents relating to either party's present employment compensation and benefits, including, but not limited to, employment contracts or agreements, the entire personnel file for current employment, and information about the benefits available to either party or the dependents of the parties whether either party has elected those benefits or not and all insurance plans under which either party and the dependents of the parties are or could be covered.

18. Trusts and Estates. All documents relating to trusts, estates, life estates and other property in which either party might claim any beneficial interest whatsoever, including, but not limited to, vested or contingent remainder interests, or revocable or irrevocable beneficiary interests; and including, but not limited to, all records of any distribution which either party has received in the past 24 months or may become entitled to receive in the future.

19. Firms and Other Legal Entities. All documents relating to any interest either party has in any legal entity including, but not limited to, partnership agreements, operation agreements, employment agreements, buy and sell agreements, non-competition agreements, stock purchase or option agreements, medical reimbursement plans, and any other agreements involving either party and an employer, firm, corporation, individual or other such entity.

20. Appraisals. All appraisals prepared by anyone for any property, real or personal, in which either party has an interest, whether individually, jointly, with a third party, as a shareholder or partner, or in any other capacity, and all records or documents supporting such appraisals.

21. Property Sales. All documents relating to the listing or agreement for sale of any real or personal property that either party now owns and is presently attempting to sell, or has attempted to sell within the past five years, and to any offers that either party has received for the purchase of such property.

22. Litigation. All documents relating to litigation involving either party, or property of either party, individually or jointly, within the last 36 months, including records to which either party is entitled regarding any legal action.

23. Assets Over \$500. All documents relating to the acquisition, sale, transfer or disposal of any asset with a value greater than \$500 in which either of the parties has or had an interest that has occurred within the last 12 months.

This request includes items obtained by gift, inheritance, or by any other means.

24. Assets Not Otherwise Requested. To the extent that either party has, or within the last 24 months had, any interest whatsoever in any asset for which documents are not requested in requests numbered 1 – 23 above, all documents relating to each such asset.

25. Debts. All documents relating to debts and liabilities of the parties, individually and jointly, which existed in part or whole at any time during the last 12 months, including the most recent statement of each loan, credit line or charge card balance due.

26. Monthly Living Expenses. All documents relating to your current monthly living expenses or, in the alternative, a completed Uniform Support Declaration with schedule 1 and all required attachments.

27. Credit Card Statements. All periodic statements for the last 24

months for each credit card in which either party has or has had an interest.

28. Marital Agreements. All documents relating to any agreements between you and your spouse, including agreements made before and after the date of your marriage.

29. Credit Reports. All credit reports prepared for or requested by or for either party during the past five years.

30. Social Security Reports. All reports prepared for either party, requested by or for either party, or received by either party regarding any social security benefits either party receives now or may receive in the future.

31. Appointment Calendars. All appointment diaries or calendars for the five year period immediately preceding the date of the filing of this request.

32. Medical Insurance. All documents relating to any health insurance coverage, including but not limited to medical, dental, optical and mental health care, which is currently available to cover either of the parties or the child(ren) of the parties or any or all of them, through either party's employment. All documents relating to the availability and cost of continuing such health insurance benefits for a spouse, ex-spouse or other dependent, whether in accordance with COBRA or otherwise.

33. Wills. Your Last Will and Testament; all other wills and trusts in which you are named in any capacity, either as beneficiary (contingent or not), trustee, guardian or otherwise.

IMPORTANT NOTICES

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