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2 Mark P. Scheer, ASBA No. 8807153  
3 mscheer@scheerlaw.com  
4 Scheer & Zehnder LLP  
5 701 Pike Street, Suite 2200  
6 Tel: 206-262-1200  
7 Fax: 206-223-4065  
8 Attorney for Defendant Criterion General, Inc.

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IN THE SUPERIOR COURT OF THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT, AT ANCHORAGE

ALASKA BUILDING, INC., an Alaska  
corporation,

Plaintiff,

v.

716 WEST FOURTH AVENUE LLC,  
KOONCE PFEFFER BETTIS, INC., d/b/a  
KPB ARCHITECTS, PFEFFER  
DEVELOPMENT, LLC, LEGISLATIVE  
AFFAIRS AGENCY, and CRITERION  
GENERAL, INC.,

Defendants.

CASE NO. 3AN-15-05969CI

DEFENDANT CRITERION GENERAL, INC.'S  
ANSWERS TO PLAINTIFF'S FIRST SET OF INTERROGATORIES

Defendant Criterion, Inc. submits its answers and objections to plaintiff's First Set of  
Interrogatories:

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CRITERION'S ANSWERS TO PLAINTIFF'S FIRST SET OF  
INTERROGATORIES – Page 1

**SCHEER & ZEHNDER LLP**  
701 PIKE STREET, SUITE 2200  
SEATTLE, WA 98101  
P: (206) 262-1200 F: (206) 223-4065

1 INTERROGATORY NO. 1.

2 Please identify all persons with knowledge of the LIO Project as it relates to this  
3 matter. If any such person(s) is an attorney, such person(s) must be identified.

4 **RESPONSE:** Defendant objects that the interrogatory is vague as “knowledge” is  
5 not defined and it is overbroad as to scope. Defendant objects to the extent that the  
6 interrogatory calls for information protection by the attorney-client privilege, attorney work-  
7 product doctrine, or was prepared in anticipation of litigation. Defendant objects that the  
8 information sought by the interrogatory may be ascertained from an examination of records  
9 already believed to be in plaintiff’s possession, or to which plaintiff already has access, and  
10 the burden of deriving the answer is substantially the same for plaintiff as for this defendant.  
11 Alaska R. Civ. P. 33(d). Defendant further objects that the interrogatory is premature as  
12 discovery has just begun. Subject to these objections, defendant answers:  
13  
14

15 1. **3Form (Finish Carpentry)**  
16 2300 South 2300 West  
17 Salt Lake City, UT 84119  
18 (801) 994-8180

19 2. **716 West Fourth Avenue LLC (Owner)**  
20 737 West 5<sup>th</sup> Avenue  
21 Anchorage, AK 99501  
22 (907) 646-4644

- Robert O’Neill, Direct of Project Management
- Mark Pfeffer, Managing Member

23 3. **Alaska Abatement Corporation (Carpet Adhesive Removal)**  
24 520 West 58<sup>th</sup> Avenue, Suite J  
25 Anchorage, AK 99518  
26 (907) 563-0088

- John Anderson, President
- Wayne Schmidt

1           **4. Alas-Co General Construction Co, Inc. (Building Insulation)**  
2           111 East 80<sup>th</sup> Avenue  
3           Anchorage, AK 99518  
4           (907) 522-2297

- Jeff Jensen

5           **5. Alaska Building, Inc. (Plaintiff)**  
6           406 G Street, Suite 206  
7           Anchorage, AK 99501  
8           (907) 274-7686

- James B. Gottstein

9           **6. Alaska Concrete Services, Inc. (Cast-in-Place Concrete)**  
10          2321 Cinnabar Loop  
11          Anchorage, AK 99507  
12          (907) 345-2399

13          **7. Alaska Demolition, LLC (Site Preparation)**  
14          2817 Rampart Drive, Suite 101  
15          Anchorage, AK 99501  
16          (907) 274-3366

- Mike Waddell

17          **8. Anchorage Sand & Gravel Company, Inc. (Concrete)**  
18          1040 O'Malley Road  
19          Anchorage, AK 99515  
20          (907) 348-6700

- Kevin Norton

21          **9. Alaska Stairlift & Elevator, LLC (Wheelchair Lift)**  
22          230 East Potter Drive, Suite 5  
23          Anchorage, AK 99518  
24          (907) 245-5438

- Melissa Davidson

1           **10. Andy Milner Company (Metal Decking)**

2           1520 Shore Drive  
3           Anchorage, AK 99515  
4           (907) 349-0906

- 5           • John Swartz

6           **11. BBFM Engineers, Inc. (Engineering Consultants)**

7           510 L Street, Suite 200  
8           Anchorage, AK 99501  
9           (907) 274-2236

- 10          • Dennis Berry  
11          • Forest Braun  
12          • Troy Feller  
13          • Scott Gruhn

14          **12. Blower & Blower Window Cleaning (Window Cleaning)**

15          P.O. Box 91864  
16          Anchorage, AK 99501  
17          (907) 903-5611

- 18          • Tom Blower, Project Manager

19          **13. Bradshaw & Associates, Inc. (Spray-Applied Fireproofing)**

20          1205 East 72<sup>nd</sup> Avenue  
21          Anchorage, AK 99518  
22          (907) 522-7205

- 23          • Pat Brashler

24          **14. Carlile Transportation Systems, Inc. (Ocean Freight)**

25          1800 East 1<sup>st</sup> Avenue  
26          Anchorage, AK 99501  
             (907) 276-7797

- Jessica Matich

1           **15. Chinook Fire Protection, Inc. (Fire Sprinklers)**

2           13651 Old Seward Highway  
3           Anchorage, AK 99515  
4           (907) 344-3473

- 5           • Jeffrey M. Wilcheck

6           **16. Commercial Contractors, Inc. (Commercial Flooring)**

7           4920 Fairbanks Street  
8           Anchorage, AK 99503  
9           (907) 563-1911

- 10          • Peter Morgan, Senior Project Manager

11          **17. Criterion General, Inc.**

12          2820 Commercial Drive  
13          Anchorage, AK 99501  
14          (907) 277-3200

- 15          • Mark Aden – Worker on LIO project;  
16          • Brad Anderson – Worker on LIO project;  
17          • Michael Banta – Worker on LIO project;  
18          • James Berry – Worker on LIO project;  
19          • Cody Botelho – Worker on LIO project;  
20          • John Bowie – Worker on LIO project  
21          • Dustin Brashears – Worker on LIO project;  
22          • Kristopher Butler – Worker on LIO project;  
23          • Devin Clausen – Worker on LIO project;  
24          • Dave DeRoberts – President; signed LIO project contract;  
25          • Greg Dunaway – Worker on LIO project;  
26          • Jayson Duszynski – Worker on LIO project;  
            • Joshua Euteneier – Worker on LIO project;  
            • Jeremaih Hemphill – Worker on LIO project;  
            • David Hurn, Jr. – Worker on LIO project;  
            • Adam Jackson – Worker on LIO project;  
            • Evan Jerman – Worker on LIO project;  
            • Kyle Kennedy – Worker on LIO project;  
            • Chris Lampton – Worker on LIO project;  
            • Barry Lapp – Project Superintendent for LIO project;  
            • Steve Lebida – Worker on LIO project;  
            • David Lind – Worker on LIO project;  
            • Joshua Lind – Worker on LIO project;

- John McBride – Worker on LIO project;
- Tyler McIntosh – Worker on LIO project;
- Jeremy McKee – Worker on LIO project;
- Scott Mercier – Worker on LIO project;
- William Miller – Worker on LIO project;
- Lance Moistner – Worker on LIO project;
- Dustin Picton – Worker on LIO project;
- Dane Prince – Worker on LIO project;
- Shay Rosser – Worker on LIO project;
- Jon Salgat – Worker on LIO project;
- Chad Shannon – Worker on LIO project;
- Kevin Shults – Worker on LIO project;
- Rob Skaats – Worker on LIO project;
- Dennis Smedley – Worker on LIO project;
- Antonio Smith – Worker on LIO project;
- Dale Smith – Worker on LIO project;
- Mike Smith – Worker on LIO project;
- Tyler Smith – Worker on LIO project;
- Mike Somahkawahl – Worker on LIO project;
- James Spain – Worker on LIO project;
- David Thompson, Jr. – Worker on LIO project;
- Reed Thwaites – Worker on LIO project;
- Cory Toews – Worker on LIO project;
- Howard Tresham – Worker on LIO project;
- Terry Velarde – Worker on LIO project;
- Robert Voss – Worker on LIO project;
- Walter Warner – Worker on LIO project;
- Kendall Wilson – Project Engineer for LIO project;
- Travis Wilson – Worker on LIO project.

**18. Denali Drilling, Inc. (Pilings Installation)**

8240 Petersburg Street  
Anchorage, AK 99507  
(907) 562-2312

- Ron L. Pichler, President

1           **19. Dimond Fabricators (Rebar)**

2           11400 Lang Street  
3           Anchorage, AK 99515  
4           (907) 348-6752

- 5           • Dane Smulick, Rebar Manager

6           **20. Door Systems of Alaska, Inc. (Operable Panel Doors)**

7           18727 Old Glen Highway  
8           Chugiak, AK 99567  
9           (907) 688-3367

- 10          • John Slater

11          **21. EBSC Engineering, LLC (Engineering Consultant)**

12          11301 Olive Lane  
13          Anchorage, AK 99515  
14          (907) 222-1085

- 15          • Edward Hakala, Principal Engineer  
16          • Luke Mattson

17          **22. Edge Surveying – Survey**

18          12501 Old Seward Highway # D  
19          Anchorage, AK 99515  
20          (907) 344-5990

- 21          • Tony Wilson

22          **23. Far North Acoustics, Inc. (Acoustical Ceilings)**

23          P.O. Box 111474  
24          Anchorage, AK 99511  
25          (907) 344-5119

- 26          • Jon Andreasen

**24. General Mechanical, Inc. (Mechanical)**

            9135 King Street  
            Anchorage, AK 99515  
            (907) 522-5959

- David Stanfield, Project Manager

1           **25. GMC Contracting, Inc. (Earthwork)**

2           351 East International Airport Road  
3           Anchorage, AK 99518  
4           (907) 561-4733

- Frank Chandler, Vice President, Construction Division

5           **26. Greenstreet General Contracting, LLC (Garage Shoring)**

6           P.O. Box 1191  
7           Palmer, AK 99645  
8           (907) 745-6778

- Darrell Greenstreet, Owner
- Donna Ballard, Office Manager

9           **27. Guardian Security Systems, Inc. (Security)**

10          2600 Seward Highway  
11          Anchorage, AK 99503  
12          (907) 274-5275

- James Bryan, Security Consultant

13          **28. Inline Steel Fabricators, Inc. (Structural Steel)**

14          P.O. Box 9396  
15          Yakima, WA 98909  
16          (509) 248-4554

- Michael Corn, President
- Matt Mayhak, Detail Manager
- J. J. Johnson, Production Manager

17          **29. K-C Corporation, Inc. (Exterior/Interior Framing; Interior Supply and**  
18          **Hang Sheetrock, Sheathing)**

19          2964 Commercial Drive  
20          Anchorage, AK 99501  
21          (907) 258-2425

- Byron Kohfield, Project Manager



1           **30.    KPB Architects (Architect)**

2            425 G Street, Suite 800

3            Anchorage, AK 99501

            (907) 274-7443

- 4                   • Jeffrey P. Koonce, Principal
- 5                   • Andrew J. Weiss, Architect

6           **31.    Legislative Information Office**

7            716 West 4<sup>th</sup> Avenue, Suite 200

8            Anchorage, AK 99501

            (907) 269-0111

9           **32.    Northclad Rainscreen Solutions (Panel Systems)**

10           11831 Beverly Park Road, Building C

11           Everett, WA 98204

            (425) 487-1111

- 12                   • Tina Hutchinson

13           **33.    Northern Geotechnical Engineering, Inc. (Geotechnical Consultant)**

14           11301 Olive Lane

15           Anchorage, AK 99515

            (907) 344-5934

- 16                   • Shelley A. McCoy, Project Engineer
- 17                   • Keith F. Mobley, President

18           **34.    North Star Equipment Service (Crane)**

19           790 Ocean Dock Road

20           Anchorage, AK 99501

            (907) 263-0117

- 21                   • Steve Poste, Vice President

22           **35.    Otis Elevator Company (Elevator System)**

23           619 East Ship Creek Avenue, Suite 301

24           Anchorage, AK 99501

            (907) 278-4575

- 25                   • Michael V. Liebing, General Manager
- 26

1           **36. Pfeffer Development, LLC (Project Manager)**

2           425 G Street  
3           Anchorage, AK 99501  
4           (907) 646-4644

- 5           • Mark Pfeffer, Managing Member
- 6           • Bob O'Neil
- 7           • Shea Simasko, Property Manager

8           **37. Quinn's Decorative Concrete (Concrete Place and Finish)**

9           12450 West Melanie Avenue  
10          Wasilla, AK 99654  
11          (907) 360-5394

- 12          • Rick Quinn

13          **38. Rain Proof Roofing, Inc. (Roofing)**

14          2201 East 84<sup>th</sup> Court  
15          Anchorage, AK 99507  
16          (907) 344-2297

- 17          • John Birchfield

18          **39. Redi Electric, LLC (Electrical)**

19          6151 A Street  
20          Anchorage, AK 99518  
21          (907) 561-2323

- 22          • Larry Rhymer, President

23          **40. Reid Middleton (Engineering Consultants)**

24          4300 B Street, Suite 302  
25          Anchorage, AK 99503  
26          (907) 562-3439

- David Stierwalt, PE

1           **41. Rep Tile (Tile)**  
2           800 High View Drive  
3           Anchorage, AK 99515  
            (907) 345-3843

4                     • Lawrence Wissing, Owner  
5           **42. Smith Masonry (Masonry Infills)**  
6           P.O. Box 670809  
7           Chugiak, AK 99501  
            (907) 688-2002

8                     • Jerry Smith

9           **43. Spenard Builders Supply – Miscellaneous**  
10          P.O. Box 99060  
11          Anchorage, AK 99509  
            (907) 261-9284

12                    • Chuck Savoini

13          **44. Star Seismic, LLC (Restrained Braces)**  
14          6300 North Sagewood Drive, Suite H #511  
15          Park City, UT 84098  
            (435) 940-9222

16                    • Rob Burby

17          **45. Statewide Door & Glass (Entrance/Storefront; Glazing)**  
18          221 East Ship Creek Avenue  
19          Anchorage, AK 99501  
            (907) 562-2074

20                    • Michael Hammer, President

21          **46. Summit Anchor Company (Steel)**  
22          4507 Metropolitan Court  
23          Fredrick, MD 21704  
            (301) 874-4941

24                    • Jim Giuffreda  
25  
26

1           **47. Wallcovering Plus, Inc. (Wallcoverings)**

2           9138 Arlon Street, Suite A3-267  
3           Anchorage, AK 99507  
4           (907) 346-2642

- 5           • Robbie Muir

6           **48. Whalen Construction, Inc.**

7           P. O. Box 112156  
8           Anchorage, AK 99511  
9           (907) 360-3261

- 10          • Patrick Whalen

11          INTERROGATORY NO. 2.

12                 With respect to each person identified in response to the preceding interrogatory,  
13                 please summarize such person's knowledge of the LIO project as it relates to this matter.

14                 **RESPONSE:** Defendant objects that it cannot answer for the knowledge held by the  
15                 individuals listed in its Response to Interrogatory No. 1, as it lacks such personal knowledge.  
16                 Plaintiff may direct this inquiry to each person or party. Alaska R. Civ. P. 33(d). Defendant  
17                 objects to the extent the interrogatory seeks information protected by the attorney-client  
18                 privilege, attorney-work product doctrine, or was prepared in anticipation of litigation.  
19                 Defendant further objects that the interrogatory is premature as discovery has just begun.  
20                 Subject to these objections, defendant answers:

21                 **Criterion General, Inc. – General contractor for LIO project**

22                 2820 Commercial Drive  
23                 Anchorage, AK 99501  
24                 (907) 277-3200

- 25                 • Mark Aden – Worker on LIO project;  
26                 • Brad Anderson – Worker on LIO project;  
                  • Michael Banta – Worker on LIO project;  
                  • James Berry – Worker on LIO project;  
                  • Cody Botelho – Worker on LIO project;

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- John Bowie – Worker on LIO project
- Dustin Brashears – Worker on LIO project;
- Kristopher Butler – Worker on LIO project;
- Devin Clausen – Worker on LIO project;
- Dave DeRoberts – President; signed LIO project contract;
- Greg Dunaway – Worker on LIO project;
- Jayson Duszynski – Worker on LIO project;
- Joshua Euteneier – Worker on LIO project;
- Jeremaih Hemphill – Worker on LIO project;
- David Hurn, Jr. – Worker on LIO project;
- Adam Jackson – Worker on LIO project;
- Evan Jerman – Worker on LIO project;
- Kyle Kennedy – Worker on LIO project;
- Chris Lampton – Worker on LIO project;
- Barry Lapp – Project Superintendent for LIO project;
- Steve Lebida – Worker on LIO project;
- David Lind – Worker on LIO project;
- Joshua Lind – Worker on LIO project;
- John McBride – Worker on LIO project;
- Tyler McIntosh – Worker on LIO project;
- Jeremy McKee – Worker on LIO project;
- Scott Mercier – Worker on LIO project;
- William Miller – Worker on LIO project;
- Lance Moistner – Worker on LIO project;
- Dustin Picton – Worker on LIO project;
- Dane Prince – Worker on LIO project;
- Shay Rosser – Worker on LIO project
- Jon Salgat – Worker on LIO project;
- Chad Shannon – Worker on LIO project;
- Kevin Shults – Worker on LIO project;
- Rob Skaats – Worker on LIO project;
- Dennis Smedley – Worker on LIO project;
- Antonio Smith – Worker on LIO project;
- Dale Smith – Worker on LIO project;
- Mike Smith – Worker on LIO project;
- Tyler Smith – Worker on LIO project;
- Mike Somahkawahl – Worker on LIO project;
- James Spain – Worker on LIO project;
- David Thompson, Jr. – Worker on LIO project;
- Reed Thwaites – Worker on LIO project;
- Cory Toews – Worker on LIO project;

- Howard Tresham – Worker on LIO project;
- Terry Velarde – Worker on LIO project;
- Robert Voss – Worker on LIO project;
- Walter Warner – Worker on LIO project;
- Kendall Wilson – Project Engineer for LIO project;
- Travis Wilson – Worker on LIO project.

INTERROGATORY NO. 3.

Please identify all documents relating to this matter.

**RESPONSE:** Defendant objects that the Interrogatory is overbroad and unduly burdensome. Defendant objects that the information sought by the interrogatory may be ascertained from an examination of records already believed to be in plaintiff's possession, or to which plaintiff already has access, and the burden of deriving the answer is substantially the same for plaintiff as for this defendant. Alaska R. Civ. P. 33(d). Defendant objects to the extent the interrogatory seeks information protected by the attorney-client privilege, attorney-work product doctrine, or was prepared in anticipation of litigation. Defendant further objects that the interrogatory is premature as discovery has just begun. Subject to these objections, defendant will produce its project file in response to an appropriate request for production.

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1 **CERTIFICATE OF SERVICE**

2 I certify under penalty of perjury under the laws of the State of Washington, that the  
3 following is true and correct:

4 I am employed by the law firm of Scheer & Zehnder LLP.

5 At all times hereinafter mentioned, I was and am a citizen of the United States of  
6 America, a resident of the State of Washington, over the age of eighteen (18) years, not a  
7 party to the above-entitled action, and competent to be a witness herein.  
8

9 On the date set forth below I served the document(s) to which this is attached, in the  
10 manner noted on the following person(s):  
11

<b>PARTY/COUNSEL</b>	<b>DELIVERY INSTRUCTIONS</b>
<b><u>Counsel for Plaintiff</u></b> James B. Gottstein Law Offices of James B. Gottstein 406 G Street, Suite 206 Anchorage, AK 99501	<input checked="" type="checkbox"/> <b>Via U.S. Mail</b> <input type="checkbox"/> <b>Via Legal Messenger</b> <input checked="" type="checkbox"/> <b>Via E-Mail</b> <input type="checkbox"/> <b>Via Overnight Mail</b>
<b><u>Counsel for Defendant</u></b> <u>716 West Fourth Avenue LLC</u> Jeffrey W. Robinson Ashburn & Mason P.C. 1227 W. 9th Avenue, Suite 200 Anchorage, Alaska 99501-5914	<input checked="" type="checkbox"/> <b>Via U.S. Mail</b> <input type="checkbox"/> <b>Via Legal Messenger</b> <input checked="" type="checkbox"/> <b>Via E-Mail</b> <input type="checkbox"/> <b>Via Overnight Mail</b>
<b><u>Counsel for Defendant</u></b> <u>Pfeffer Development, LLC</u> Cynthia L. Ducey Delaney Wiles 1007 W. 3rd Avenue, Suite 400 Anchorage, AK 99501	<input checked="" type="checkbox"/> <b>Via U.S. Mail</b> <input type="checkbox"/> <b>Via Legal Messenger</b> <input checked="" type="checkbox"/> <b>Via E-Mail</b> <input type="checkbox"/> <b>Via Overnight Mail</b>



<p><b><u>Counsel for Defendant</u></b>  <u>Legislative Affairs Agency</u>  Kevin M. Cuddy  Stoel Rives LLP  510 L Street, Suite 500  Anchorage, AK 99501</p>	<p><input checked="" type="checkbox"/> <b>Via U.S. Mail</b>  <input type="checkbox"/> <b>Via Legal Messenger</b>  <input checked="" type="checkbox"/> <b>Via E-Mail</b>  <input type="checkbox"/> <b>Via Overnight Mail</b></p>
<p><b><u>Counsel for Defendant</u></b>  <u>Koonce Pfeffer Bettis, Inc. d/b/a</u>  <u>KPB Architects</u>  Daniel T. Quinn  Richmond &amp; Quinn  360 K Street, Suite 200  Anchorage, Alaska 99501</p>	<p><input checked="" type="checkbox"/> <b>Via U.S. Mail</b>  <input type="checkbox"/> <b>Via Legal Messenger</b>  <input checked="" type="checkbox"/> <b>Via E-Mail</b>  <input type="checkbox"/> <b>Via Overnight Mail</b></p>

DATED this 20<sup>th</sup> day of May, 2015, at Seattle, Washington.

  
Magdalen Diaz, Legal Secretary