

DOCKET NO.: FST CF 15-5014808-S)	SUPERIOR COURT
)	
WILLIAM A. LOMAS,)	JUDICIAL DISTRICT OF
)	STAMFORD/NORWALK
Plaintiff,)	
)	AT STAMFORD
versus)	
)	
PARTNER WEALTH MANAGEMENT, LLC)	
KEVIN G. BURNS, JAMES PRATT-HEANEY,)	AUGUST 31, 2016
AND WILLIAM P. LOFTUS)	
)	
Defendants.)	

**PLAINTIFF’S RESPONSES AND OBJECTIONS TO DEFENDANTS’
THIRD SET OF INTERROGATORIES TO PLAINTIFF**

Pursuant to §§ 13-7 and 13-8 of the Connecticut Practice Book, Plaintiff William A. Lomas (“Lomas”), through his attorneys, responds to the Interrogatories dated July 29, 2016 (the “Interrogatories”), served by the defendants, Partner Wealth Management, LLC (“PWM”), Kevin G. Burns, James Pratt-Heaney and William Loftus (the “Individual Defendants” and, together with PWM, “the Defendants”). In addition to his general objections, Lomas specifically objects to Interrogatories No. 11, 12, 17 and 18.

Lomas reserves the right to amend and/or supplement his objections and/or responses to these Interrogatories consistent with further investigation and discovery.

GENERAL OBJECTIONS

1. Lomas objects to these Interrogatories (including the “Definitions” and “Instructions”) to the extent that they purport to impose any obligation beyond that required by the Connecticut Practice Book.

2. Lomas objects to each Interrogatory to the extent that it seeks information or documents protected from disclosure by the attorney-client privilege, work product doctrine, marital privilege, or any other rule of privilege or confidentiality provided by law.

3. Lomas objects to each Interrogatory to the extent it requests information that is readily available to the Defendants and/or can be obtained by the Defendants with less burden and expense than it can be obtained by Lomas.

4. Lomas objects to each Interrogatory to the extent that it seeks information neither relevant to the subject matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence pursuant to Practice Book § 13-2 and the Code of Evidence § 4-8(a).

5. To the extent that Lomas responds to these Interrogatories, such responses should not be construed as a representation or admission that the information provided in the response is relevant or admissible at trial.

6. Lomas objects to the extent that any Interrogatory implies the existence of facts or circumstances not of record or that do not exist, and to the extent that any Interrogatory assumes a legal conclusion. By responding, Lomas does not admit any factual or legal assumptions contained in any Interrogatory.

7. Lomas objects to the extent that any Interrogatory calls for a legal conclusion.

8. Lomas objects to Instruction No. 2 to the extent it requires Lomas to provide information that goes beyond the obligations of a party responding to interrogatories under the Connecticut Practice Book.

9. In responding to these Interrogatories, Lomas does not waive the foregoing general objections, nor does he waive the specific objections that are set forth in the responses to the individual Interrogatories below. By providing information or documents in response to the Interrogatories, Lomas does not concede that the information or documents are relevant to this action or that they are reasonably calculated to lead to the discovery of admissible evidence. Lomas expressly reserves his right to object to further discovery into the subject matter of these Interrogatories, to object to the introduction into evidence of any portion thereof, and to supplement or amend his responses.

10. Lomas incorporates by reference the foregoing general objections into each response set forth below.

OBJECTIONS & RESPONSES TO INTERROGATORIES

INTERROGATORY NO. 1:

Excluding the other members of PWM, identify all persons you had material or substantive communications with, including attorneys and other advisors, concerning or relating to the formation of LLBH Group.

OBJECTION:

Lomas incorporates his General Objections set forth above as though fully set forth herein. In particular, Lomas objects to the Interrogatory to the extent it seeks information protected from disclosure by the attorney-client privilege, work product doctrine, marital privilege, or any other applicable privilege or doctrine. The inadvertent disclosure of any information covered by such protections shall not be deemed a waiver thereof.

RESPONSE:

Subject to and without waiving the foregoing objections Lomas states, to the best of his present day recollection, that he may have had communications with following entities/people:

1. Hamburger Law Firm, LLC: Brian Hamburger
2. Focus Financial Partners: Richard Gill, Rudy Adolph, Rajini Kodialam, Jim Shanahan, Mr. Vamsi (Lomas does not recall Mr. Vamsi's first name).
3. John Rolleri

INTERROGATORY NO. 2:

For all persons identified in response to interrogatory number 1, state the date of the communication(s) and the sum and substance of each communication.

OBJECTION:

Lomas incorporates his General Objections set forth above as though fully set forth herein. In particular, Lomas objects to the Interrogatory to the extent it seeks information protected from disclosure by the attorney-client privilege, work product doctrine, marital privilege, or any other applicable privilege or doctrine. The inadvertent disclosure of any information covered by such protections shall not be deemed a waiver thereof.

RESPONSE:

Mr. Lomas does not presently recall the specific content of each conversation he may have had with one of the individuals referenced in Interrogatory No. 1.

INTERROGATORY NO. 3:

Excluding the other members of PWM, identify all persons you had material or substantive communications with, including attorneys and other advisors, concerning or relating to the formation of PWM.

OBJECTION:

Lomas incorporates his General Objections set forth above as though fully set forth herein. In particular, Lomas objects to the Interrogatory to the extent it seeks information protected from disclosure by the attorney-client privilege, work product doctrine, marital privilege, or any other applicable privilege or doctrine. The inadvertent disclosure of any information covered by such protections shall not be deemed a waiver thereof.

RESPONSE:

See response to Interrogatory No. 1.

INTERROGATORY NO. 4:

For all persons identified in response to interrogatory number 3, state the date of the communication(s) and the sum and substance of the communication.

OBJECTION:

Lomas incorporates his General Objections set forth above as though fully set forth herein. In particular, Lomas objects to the Interrogatory to the extent it seeks information protected from disclosure by the attorney-client privilege, work product doctrine, marital privilege, or any other applicable privilege or doctrine. The inadvertent disclosure of any information covered by such protections shall not be deemed a waiver thereof.

RESPONSE:

Mr. Lomas does not presently recall the specific content of each conversation he may have had with one of the individuals referenced in Interrogatory No. 3.

INTERROGATORY NO. 5:

Excluding the other members of PWM, identify all persons you had material or substantive communications with, including attorneys and other advisors, concerning or relating to the APA.

OBJECTION:

Lomas incorporates his General Objections set forth above as though fully set forth herein. In particular, Lomas objects to the Interrogatory to the extent it seeks information protected from disclosure by the attorney-client privilege, work product doctrine, marital privilege, or any other applicable privilege or doctrine. The inadvertent disclosure of any information covered by such protections shall not be deemed a waiver thereof.

RESPONSE:

See response to Interrogatory No. 1.

INTERROGATORY NO. 6:

For all persons identified in response to interrogatory number 5, state the date of the communication(s) and the sum and substance of the communication.

OBJECTION:

Lomas incorporates his General Objections set forth above as though fully set forth herein. In particular, Lomas objects to the Interrogatory to the extent it seeks information protected from disclosure by the attorney-client privilege, work product doctrine, marital privilege, or any other applicable privilege or doctrine. The inadvertent disclosure of any information covered by such protections shall not be deemed a waiver thereof.

RESPONSE:

Mr. Lomas does not presently recall the specific content of each conversation he may have had with one of the individuals referenced in Interrogatory No. 5.

INTERROGATORY NO. 7:

Excluding the other members of PWM, identify all persons you had material or substantive communications with, including attorneys and other advisors, concerning or relating to the negotiation and execution of the Management Agreement.

OBJECTION:

Lomas incorporates his General Objections set forth above as though fully set forth herein. In particular, Lomas objects to the Interrogatory to the extent it seeks information protected from disclosure by the attorney-client privilege, work product doctrine, marital privilege, or any other applicable privilege or doctrine. The inadvertent disclosure of any information covered by such protections shall not be deemed a waiver thereof.

RESPONSE:

See response to Interrogatory No. 1.

INTERROGATORY NO. 8:

For all persons identified in response to interrogatory number 7, state the date of the communication(s) and the sum and substance of the communication.

OBJECTION:

Lomas incorporates his General Objections set forth above as though fully set forth herein. In particular, Lomas objects to the Interrogatory to the extent it seeks information protected from disclosure by the attorney-client privilege, work product doctrine, marital privilege, or any other applicable privilege or doctrine. The inadvertent disclosure of any information covered by such protections shall not be deemed a waiver thereof.

RESPONSE:

Mr. Lomas does not presently recall the specific content of each conversation he may have had with one of the individuals referenced in Interrogatory No. 7.

INTERROGATORY NO. 9:

Excluding the other members of PWM, identify all persons you had material or substantive communications with, including attorneys and other advisors, concerning or relating to the formation of LLBH.

OBJECTION:

Lomas incorporates his General Objections set forth above as though fully set forth herein. In particular, Lomas objects to the Interrogatory to the extent it seeks information protected from disclosure by the attorney-client privilege, work product doctrine, marital privilege, or any other applicable privilege or doctrine. The inadvertent disclosure of any information covered by such protections shall not be deemed a waiver thereof.

RESPONSE:

See response to Interrogatory No. 1.

INTERROGATORY NO. 10:

For all persons identified in response to interrogatory number 9, state the date of the communication(s) and the sum and substance of the communication.

OBJECTION:

Lomas incorporates his General Objections set forth above as though fully set forth herein. In particular, Lomas objects to the Interrogatory to the extent it seeks information protected from disclosure by the attorney-client privilege, work product doctrine, marital privilege, or any other applicable privilege or doctrine. The inadvertent disclosure of any information covered by such protections shall not be deemed a waiver thereof.

RESPONSE:

Mr. Lomas does not presently recall the specific content of each conversation he may have had with one of the individuals referenced in Interrogatory No. 9.

INTERROGATORY NO. 11:

Excluding the other members of PWM and Jeff Fuhrman, identify all persons you had material or substantive communications with, including attorneys and other advisors, concerning or relating to your attempted withdrawal from PWM in 2013.

OBJECTION:

Lomas incorporates his General Objections set forth above as though fully set forth herein. In particular, Lomas objects to the Interrogatory to the extent it seeks information protected from disclosure by the attorney-client privilege, work product doctrine, marital privilege, or any other applicable privilege or doctrine. The inadvertent disclosure of any information covered by such protections shall not be deemed a waiver thereof.

RESPONSE:

Sam Braunstein, Esq. Braunstein and Todisco PC.

Gwendolen Lomas, Lomas' wife.

INTERROGATORY NO. 12:

For all persons identified in response to interrogatory number 11, state the date of the communication(s) and the sum and substance of the communication.

OBJECTION:

Lomas incorporates his General Objections set forth above as though fully set forth herein. In particular, Lomas objects to the Interrogatory to the extent it seeks information protected from disclosure by the attorney-client privilege, work product doctrine, marital privilege, or any other applicable privilege or doctrine. The inadvertent disclosure of any information covered by such protections shall not be deemed a waiver thereof.

RESPONSE:

Subject to the previously stated objections, Lomas will not provide the sum and substance of his communications with counsel as they are protected by the attorney-client privilege and Lomas will not provide the sum and substance of his communications with his wife, Gwendolen, as they are protected by the marital privilege.

INTERROGATORY NO. 13:

Excluding the other members of PWM and Jeff Fuhrman, identify all persons you had material or substantive communications with, including attorneys and other advisors, concerning or relating to your determination or decision not to withdraw from PWM in 2013.

OBJECTION:

Lomas incorporates his General Objections set forth above as though fully set forth herein. In particular, Lomas objects to the Interrogatory to the extent it seeks information protected from disclosure by the attorney-client privilege, work product doctrine, marital privilege, or any other applicable privilege or doctrine. The inadvertent disclosure of any information covered by such protections shall not be deemed a waiver thereof.

RESPONSE:

See response to Interrogatory No. 11.

INTERROGATORY NO. 14:

For all persons identified in response to interrogatory number 13, state the date of the communication(s) and the sum and substance of the communication.

OBJECTION:

Lomas incorporates his General Objections set forth above as though fully set forth herein. In particular, Lomas objects to the Interrogatory to the extent it seeks information protected from disclosure by the attorney-client privilege, work product doctrine, marital privilege, or any other applicable privilege or doctrine. The inadvertent disclosure of any information covered by such protections shall not be deemed a waiver thereof.

RESPONSE:

See response to Interrogatory number 12.

INTERROGATORY NO. 15:

Excluding the other members of PWM and Jeff Fuhrman, identify all persons you had material or substantive communications with, including attorneys and other advisors, concerning or relating to the tax treatment or tax consequences on PWM of a member's withdrawal.

OBJECTION:

Lomas incorporates his General Objections set forth above as though fully set forth herein. In particular, Lomas objects to the Interrogatory to the extent it seeks information protected from disclosure by the attorney-client privilege, work product doctrine, marital privilege, or any other applicable privilege or doctrine. The inadvertent disclosure of any information covered by such protections shall not be deemed a waiver thereof.

RESPONSE:

Lomas does not presently recall having any communications with anyone concerning or regarding the tax treatment or tax consequences on PWM of a member's withdrawal.

INTERROGATORY NO. 16:

For all persons identified in response to interrogatory number 15, state the date of the communication(s) and the sum and substance of the communication.

RESPONSE:

None.

INTERROGATORY NO. 17:

Excluding the other members of PWM and Jeff Fuhrman, identify all persons you had material or substantive communications with, including attorneys and other advisors, concerning or relating to your notice of withdrawal from PWM on or about October 13, 2014.

OBJECTION:

Lomas incorporates his General Objections set forth above as though fully set forth herein. In particular, Lomas objects to the Interrogatory to the extent it seeks information protected from disclosure by the attorney-client privilege, work product doctrine, marital privilege, or any other applicable privilege or doctrine. The inadvertent disclosure of any information covered by such protections shall not be deemed a waiver thereof.

RESPONSE:

See response to Interrogatory No. 11.

INTERROGATORY NO. 18:

For all persons identified in response to interrogatory number 17, state the date of the communication(s) and the sum and substance of the communication.

OBJECTION:

Lomas incorporates his General Objections set forth above as though fully set forth herein. In particular, Lomas objects to the Interrogatory to the extent it seeks information protected from disclosure by the attorney-client privilege, work product doctrine, marital privilege, or any other applicable privilege or doctrine. The inadvertent disclosure of any information covered by such protections shall not be deemed a waiver thereof.

RESPONSE:

See response to Interrogatory No. 12.

INTERROGATORY NO. 19:

Excluding the other members of PWM, identify all persons you had material or substantive communications with in 2008, 2009, or 2010, including attorneys and other advisors, concerning or relating to the division or structure of the equity of PWM.

OBJECTION:

Lomas incorporates his General Objections set forth above as though fully set forth herein. In particular, Lomas objects to the Interrogatory to the extent it seeks information protected from disclosure by the attorney-client privilege, work product doctrine, marital privilege, or any other applicable privilege or doctrine. The inadvertent disclosure of any information covered by such protections shall not be deemed a waiver thereof.

RESPONSE:

See response to Interrogatory No. 1.

INTERROGATORY NO. 20:

For all persons identified in response to interrogatory number 19, state the date of the communication(s) and the sum and substance of the communication.

OBJECTION:

Lomas incorporates his General Objections set forth above as though fully set forth herein. In particular, Lomas objects to the Interrogatory to the extent it seeks information protected from disclosure by the attorney-client privilege, work product doctrine, marital privilege, or any other applicable privilege or doctrine. The inadvertent disclosure of any information covered by such protections shall not be deemed a waiver thereof.

RESPONSE:

Mr. Lomas does not presently recall the specific content of each conversation he may have had with one of the individuals referenced in Interrogatory No. 19.

Dated: August 31, 2016
Hartford, Connecticut

THE PLAINTIFF,
WILLIAM A. LOMAS

By: /s/ Thomas J. Rechen
Thomas J. Rechen
Brittany A. Killian
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His Attorneys

VERIFICATION

I, William A. Lomas, hereby certify that I have reviewed the above Interrogatories and responses thereto and that they are true and accurate to the best of my knowledge, information and belief.


William A. Lomas

Subscribed and sworn to before me this 31st day of August, 2016.


~~Commissioner of the Superior Court~~
~~Notary Public~~
~~My Commission Expires:~~

CERTIFICATE OF SERVICE

This is to certify that on August 31, 2016, a copy of the foregoing was served by e-mail and first class mail, postage prepaid, to all counsel of record as follows:

Richard J. Buturla, Esq.
Mark J. Kovack, Esq.
Berchem, Moses & Devlin, P.C.
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/s/Thomas J. Rechen
Thomas J. Rechen