

# Exhibit C

Christine Baker  
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Pro Se

**IN THE JUSTICE COURT OF MOHAVE COUNTY  
STATE OF ARIZONA**

Midland Funding LLC,  
Plaintiff,  
v.  
Christine Baker;  
Defendant.

**CV 2012 - 1251**

**DEFENDANT'S FIRST SET OF  
REQUESTS FOR ADMISSIONS**

**DEFENDANT'S FIRST SET OF REQUESTS FOR ADMISSIONS TO  
MIDLAND FUNDING LLC.**

Defendant Christine Baker hereby requests that Plaintiff Midland Funding LLC answer the following First Set of Requests for Admissions in accordance with the Definitions and Instructions which are by reference fully incorporated and restated herein separately and fully within each request, within forty (40) days pursuant to Rule 36 of the Arizona Rules of Civil Procedure. Words and phrases used in these Requests for Admission that are not specifically defined below shall have their ordinary and customary meaning and usage.

1 **INSTRUCTIONS**

2 The person responding to a request should have knowledge to answer said  
3 questions. If another person has superior knowledge on certain questions that other  
4 person should respond to that request and be so designated. If such person is unavailable,  
5 that person should be fully identified and the nature and scope of their knowledge and the  
6 reasons that such person’s knowledge is or is believed to be superior, explained fully.

7 In responding to these requests, furnish all information, however obtained,  
8 including hearsay which is available to you and any information known by you, in your  
9 possession, or appearing in your records.

10 These are intended as continuing requests having within them a duty to timely  
11 supplement the responses until and during the course of trial.

12 Information sought by these requests that you obtain after you serve your  
13 responses must be disclosed to the Defendant by supplementary responses.

14 It is intended by this set of requests to elicit information not merely within your  
15 knowledge, but obtainable by you or on your behalf.

16 You may not claim lack of information or knowledge as grounds for failing to  
17 respond to any request or as grounds for giving an incomplete or partial response to any  
18 request without exercising due diligence to secure the full information needed to do so.  
19 Where you reply or respond based on information provided to you from any other person,  
20 fully identify that person and how you obtained the information from them. Where you  
21 rely on information in any document, specifically identify the document and identify the  
22 person who has custody of that document.

23 If you can not respond to a request in full after exercising due diligence to secure  
24 the full information needed to do so, so state and respond to the extent possible,  
25 specifying your inability to respond to the remainder, stating whatever information or  
26 knowledge you have concerning the unresponded portion and detailing what you did in  
27 attempting to secure the unknown information.

1 If any request is objected to on the basis of an assertion of a privilege, identify the  
2 privilege claimed and state the specific factual grounds for the applicability of the  
3 privilege to the responsive information.

4 If any request is objected to on the basis that the time period covered by the  
5 request is irrelevant, burdensome, or otherwise inappropriate, state what time period you  
6 consider proper for that request and answer the request for that time period, preserving  
7 your objection to the remainder of the time period.

### 8 9 DEFINITIONS

10 **“PERSON”** includes any natural or artificial person, public entity, firm,  
11 association, organization, subsidiary, partnership, business, trust corporation, government  
12 office or agency, political subdivision, or any other organization, regardless of whether  
13 such is dissolved, altered, disbanded, defunct, or otherwise not in its original form.

14 **“PLAINTIFF”**, **“YOU”** or **“YOUR”** or **“Midland Funding”** mean and refer to  
15 Plaintiff Midland Funding LLC, its corporate or business predecessors, if any, its  
16 affiliates, aliases, d/b/a, subsidiaries, employees, contractors, attorneys, investigators,  
17 agents, officers, or any other person under its control or direction, or acting or purporting  
18 to act on YOUR behalf.

19 **“DEFENDANT”**, **“I”** or **“ME”** mean or refer to Defendant Christine Baker.

20 **“CORRESPONDENCE”** means all written and unwritten but recorded whether  
21 in total or in summary, communications, including non-duplicate drafts, versions not  
22 sent, and copies that differ only in margin notes or annotations, including memos, letters,  
23 analog or digital recordings, voice mail, e-mail, computer files, computer disks, or other  
24 correspondence or things sent or received by you to or from any entity, including  
25 correspondence or files maintained or exchanged internally within your business or with  
26 your employees.

27 **“DOCUMENT”** means all documents and records regardless of media or storage  
28 mechanism, including non-duplicate drafts, versions not sent, and copies that differ only  
in margin notes or annotations, of memos, letters, analog or digital recordings, E-mail,

1 tapes, cassettes, logs, books, papers, contracts, computer disks, and computer files. This  
2 includes all such documents not only in your possession, but those under your control and  
3 those YOU can obtain from other parties, computer tapes, backup media, archives, or  
4 other storage vehicles.

5 “ACCOUNT” or “DEBT” shall be construed to mean the alleged debt referenced  
6 in Plaintiff’s complaint.

7 “AND” as well as “OR” shall be construed either disjunctively or conjunctively as  
8 necessary to bring within the scope of these admissions any information which might  
9 otherwise be construed to be outside its scope.

10 “ANY” and “ALL” shall be construed to include “each” and “each and every.”

11 All other terms shall be construed as necessary to bring within the scope of these  
12 admissions any information which might otherwise be construed to be outside its scope.

13 Where a request addresses acts or omissions of any entity, it shall be construed  
14 and interpreted to apply to the acts or omissions of that entity and the acts or omissions of  
15 that entity’s employees, assigns, contractors, and any other agent of that entity.

16  
17 **REQUESTS FOR ADMISSIONS**

18  
19 1. Plaintiff admits that it is a debt collector as defined by the Fair Debt  
20 Collection Practices Act U.S.C. §§1692 *et seq.*

21  
22 Admit\_\_\_\_\_ Deny\_\_\_\_\_

23  
24 2. Plaintiff admits that it is a collection agency as defined by A.R.S. §§32-  
25 1001 *et seq.*

26  
27 Admit\_\_\_\_\_ Deny\_\_\_\_\_

1           3.     Plaintiff admits that it was not licensed with the Arizona Department of  
2                   Financial Institutions as collection agency when it attempted to collect the  
3                   account and filed the lawsuit.

4  
5     Admit\_\_\_\_\_           Deny\_\_\_\_\_

6  
7           4.     Plaintiff admits that it regularly collects or attempts to collect debts in  
8                   Arizona.

9  
10    Admit\_\_\_\_\_           Deny\_\_\_\_\_

11  
12          5.     Plaintiff admits that the account referenced in the complaint is a consumer  
13                   debt as defined by the FDCPA, 15 U.S.C. §§1692 *et seq.*

14  
15    Admit\_\_\_\_\_           Deny\_\_\_\_\_

16  
17          6.     Plaintiff admits that I am a consumer as defined by the FDCPA, 15 U.S.C.  
18                   §§1692 *et seq.*

19  
20    Admit\_\_\_\_\_           Deny\_\_\_\_\_

21  
22  
23          7.     Plaintiff admits that the alleged debt does not have a principal balance of  
24                   \$2,853.96

25  
26    Admit\_\_\_\_\_           Deny\_\_\_\_\_

1 8. Plaintiff admits that I did not default on the alleged debt on January 1,  
2 2009.

3  
4 Admit \_\_\_\_\_ Deny \_\_\_\_\_

5  
6 9. Plaintiff admits that it has no documentation to substantiate its demand for  
7 10% post-default interest charges for the alleged debt.

8  
9 Admit \_\_\_\_\_ Deny \_\_\_\_\_

10  
11 10. Plaintiff admits that it has no written agreement signed by me for the  
12 alleged debt.

13  
14 Admit \_\_\_\_\_ Deny \_\_\_\_\_

15  
16  
17 11. Plaintiff admits that prior to the 2011 amendment of A.R.S. 12-548 the  
18 Arizona statute of limitations for open accounts without written agreements  
19 was 3 years.

20  
21 Admit \_\_\_\_\_ Deny \_\_\_\_\_

22  
23  
24 Submitted on July 13, 2012

25  
26  
27 

28  
Christine Baker  
Defendant Pro Se

1  
2 **Barry Bursey**  
3 **PCC No. 7328, SB No. 7617**  
4 **BURSEY & ASSOCIATES, P.C.**  
5 **6740 N Oracle Rd Suite 151**  
6 **Tucson, AZ 85704**  
7 **(520) 529-3600 Voice**  
8 **(520) 529-1001 Fax**  
9 **Email: litigation@bursey.org**

10 **Attorney for Plaintiff,**  
11 **Midland Funding LLC**

12 **IN THE KINGMAN JUSTICE COURT OF THE STATE OF ARIZONA**

13 **IN AND FOR THE COUNTY OF MOHAVE**

14 **MIDLAND FUNDING LLC, )**  
15 **a foreign entity )**

16 **Plaintiff, )**

17 **vs )**

18 **CHRISTINE BAKER and JOHN DOE, )**  
19 **husband and wife, )**

20 **Defendants. )**

21 **No. CV20121251UN**

22 **RESPONSES TO DEFENDANT'S**  
23 **REQUESTS FOR ADMISSION**

24 **RESPONSES TO REQUESTS FOR ADMISSION**

- 25 1. Deny.
- 26 2. Deny.
- 27 3. Admit. Midland Funding is not registered as a collection agency with the Arizona  
28 Department of Financial Institutions as a collection agency based on existing statute.
1. Deny
2. Admit.
3. Objection. Plaintiff objects to the request as vague and ambiguous. Notwithstanding,  
and subject to the objection, Plaintiff admits.
4. Deny.
5. Deny.

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9. Objection. Plaintiff objects to the request as vague and ambiguous. Plaintiff does not know if A.R.S. § 44-1201(A) constitutes “documentation” within the meaning intended in this Request. Notwithstanding, and subject to the objection, Plaintiff denies.
10. Admit.
11. Objection. Plaintiff objects to the request as a legal conclusion and seeking information that is not relevant. Notwithstanding, and subject to the objection, Plaintiff admits.

Dated: 10/17/12.

BURSEY & ASSOCIATES, P.C.

By 

Barry Bursey, Esq.

George H. Bonsall, Esq.

Jason J. LeRoy, Esq.

Monica Derrick, Esq.

Attorney for Plaintiff,

Midland Funding LLC