

Gordon Rees Scully Mansukhani, LLP
101 W. Broadway, Suite 2000
San Diego, CA 92101

1 Craig J. Mariam (SBN 225280)
cmariam@grsm.com
2 Scott W. McCaskill (SBN 305032)
smccaskill@grsm.com
3 Josh D. Bradus (SBN 306568)
jbradus@grsm.com
4 **GORDON REES SCULLY MANSUKHANI, LLP**
101 W. Broadway, Suite 2000
5 San Diego, CA 92101
T: (619) 696-6700
6 F: (619) 696-7124

7 Attorneys for Defendant
MARCELA ESCOBAR-ECK

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9 **SUPERIOR COURT OF CALIFORNIA**

10 **COUNTY OF SAN DIEGO**

11 JOSHUA BILLAUER,) CASE NO. 37-2021-00006367-CU-DF-
12) CTL
Plaintiff,)
13 vs.) [Assigned to Hon. Kenneth J. Medel,
Dept. C-66]
14 OLGA MARCELA ESCOBAR-ECK;) **DEFENDANT MARCELA ESCOBAR-**
and DOES 1 through 1,000,) **ECK'S RESPONSE TO PLAINTIFF'S**
15) **SPECIAL INTERROGATORIES, SET**
Defendants.) **TWO [MISLABELED AS SET "ONE"]**
16)
17) Complaint Filed: February 16, 2021
Trial Date: None Set
18 AND ALL RELATED ACTIONS.)

19
20 PROPOUNDING PARTY: Plaintiff, JOSHUA BILLAUER

21 RESPONDING PARTY: Defendant, MARCELA ESCOBAR-ECK

22 SET NO.: TWO [MISLABELED AS SET "ONE" (*sic*)]

23 Defendant MARCELA ESCOBAR-ECK ("Responding Party") responds to the Special
24 Interrogatories, Set Two, of Plaintiff JOSHUA BILLAUER ("Propounding Party") as follows:

25 1. Responding Party's responses to Propounding Party's special interrogatories are
26 made to the best of its present knowledge, information and belief. Said responses are at all times
27 subject to additional or different information that discovery or further investigation may disclose
28 and, while based on this present state of Responding Party's recollection, are subject to

1 refreshing of recollection with such additional knowledge or facts that may result from further
2 discovery and investigation. Responding Party reserves the right to make any use of, or to
3 introduce at any hearing and at trial, information responsive to Propounding Party's special
4 interrogatories that is discovered subsequent to the date of these responses, including, but not
5 limited to, any information obtained in discovery herein.

6 2. Responding Party reserves all objections or other questions as to the
7 confidentiality, relevance, materiality, privilege or admissibility as evidence, in any subsequent
8 proceeding or trial of this or any other action for any purpose whatsoever, of these responses and
9 any documents or things identified in these responses.

10 3. Responding Party reserves the right to object on any ground at any time to such
11 other or supplemental interrogatories as Propounding Party may at any time propound involving
12 or relating to the subject matter of these special interrogatories.

13 **GENERAL OBJECTIONS**

14 Responding Party makes the following general objections, whether or not separately set
15 forth:

16 1. Responding Party objects generally to the extent that any of the special
17 interrogatories seek information protected by the attorney-client privilege and/or attorney work
18 product privilege. Such information shall not be provided in the responses to Propounding
19 Party's special interrogatories and any inadvertent disclosure thereof shall not be a waiver of any
20 privilege with respect to such information or any attorney work product privilege which may
21 attach thereto.

22 2. Responding Party objects generally to the extent that any of the special
23 interrogatories seek to require it to identify persons, entities, or events not known on the grounds
24 that such instructions, definitions, or requests are overbroad and seek to require more of
25 Responding Party than any obligation imposed by law, subject Responding Party to unreasonable
26 and undue annoyance, oppression, burden and expense, and seek to impose upon Responding
27 Party an obligation to investigate or discover information or material from third parties or
28 sources which are equally accessible to the parties.

1 **RESPONSES TO SPECIAL INTERROGATORIES**

2 Without waiving or rebutting in any manner any of the foregoing general objections, but
3 rather incorporating them into each of the following responses to the extent applicable,
4 Responding Party responds to Propounding Party’s special interrogatories as follows:

5 **SPECIAL INTERROGATORY NO. 8 [MISLABELED AS NUMBER “1”]:**

6 Please state all reasons why Responding Party closed her business accounts at Wells
7 Fargo Bank.

8 **RESPONSE TO SPECIAL INTERROGATORY NO. 8:**

9 Objection. Vague and ambiguous as to “business accounts.” This request seeks to invade
10 the right of privacy of Responding Party and/or privacy of third parties protected by Article I,
11 Section 1 of the California Constitution. Subject to and without waiving this objection,
12 Responding Party responds as follows:

13 Beginning in approximately November 2020 and continuing through the first quarter of
14 2021, Plaintiff, under the pseudonyms “JJ” or “Joshua J.” attended online meetings and made
15 remarks to the effect that he would “make sure [Responding Party gets] sent back to where
16 [Responding Party] came from.” Upon information and belief, Plaintiff also made statements to
17 others directed at Responding Party and to the effect that Plaintiff was going to “come after”
18 Responding Party, that “gloves [were] off” and Responding Party would “regret this.” Plaintiff’s
19 online and verbal remarks were directed at Responding Party’s Latin ethnicity and, in
20 Responding Party’s opinion, racially based with the intent of harassing Responding Party to end
21 involvement with the All Peoples Church project. Responding Party understood Plaintiff to be
22 an advisor with Wells Fargo at the time of his statements to and about Responding Party.
23 Responding Party was a customer of Wells Fargo. Upon information and belief, though the
24 Twitter and Instagram username “SaveDelCerro,” Plaintiff uploaded multiple social media posts
25 directed at Responding Party personally and making disparaging accusations about her
26 professional integrity. Plaintiff’s remarks caused Responding Party to be afraid Plaintiff may
27 target her and attempt to damage Responding Party through her accounts and/or finances. At
28 the very least, Responding Party was not comfortable with Plaintiff having any access to, or

1 potential influence on, Responding Party’s financial accounts or information. As a result of
2 Plaintiff’s actions and online statements, Responding Party closed her business accounts with
3 Wells Fargo.

4 **SPECIAL INTERROGATORY NO. 9 [MISLABELED AS NUMBER “2”]:**

5 Please provide the CONTACT INFORMATION for each natural person having any
6 information about one or more of the reasons why Responding Party closed her business
7 accounts at Wells Fargo Bank. (As used in this interrogatory, “CONTACT INFORMATION”
8 means the name, the physical residential address(es), the physical business address(es), the
9 mailing address(es), the phone number(s), and the e-mail address(es).)

10 **RESPONSE TO SPECIAL INTERROGATORY NO. 9:**

11 Objection. Vague and ambiguous as to “business accounts.” This request seeks to invade
12 the right of privacy of Responding Party and/or privacy of third parties protected by Article I,
13 Section 1 of the California Constitution. Subject to and without waiving this objection,

14 Responding Party responds as follows:

- 15 • Responding Party, who may be contacted through counsel;
- 16 • Plaintiff Joshua Billauer;
- 17 • Female Wells Fargo employee working at 276 N. El Camino Real Suite A,
18 Encinitas CA;
- 19 • Kathi Riser – Atlantis Group Land Use Consultants, who may be contacted
20 through counsel for Responding Party;
- 21 • Jon Sundt – 9090 La Jolla Shores Ln., La Jolla, CA 92037, (858) 922-4007;
- 22 • Elizabeth Vaughn, Exceptional Service Accounting – 3960 West Point Loma Dr.,
23 suite H #366, San Diego, CA 92110;

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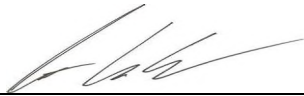
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- Kristen Byrne – Byrne Communications Consulting, 4311 Del Monte Ave., San Diego, CA 92107, (619) 208-2499, kristen@byrne-comm.com.

Dated: June 6, 2023

GORDON REES SCULLY MANSUKHANI, LLP

By: 
Craig J. Mariam
Scott W. McCaskill
Josh D. Bradus
Attorneys for Defendant
OLGA MARCELA ESCOBAR-ECK

Gordon Rees Scully Mansukhani, LLP
101 W. Broadway, Suite 2000
San Diego, CA 92101

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VERIFICATION

I, Marcela Escobar-Eck, declare:

I am the defendant in the above-entitled action. I have read the foregoing
**DEFENDANT MARCELA ESCOBAR-ECK'S RESPONSE TO PLAINTIFF'S SPECIAL
INTERROGATORIES, SET TWO ["ONE" (SIC)]** on file herein and know the contents
thereof.

The matters stated in the foregoing document are true of my own knowledge except
as to those matters which are stated on information and belief, and as to those matters I believe
them to be true.

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

Executed on June 5, 2023.



MARCELA ESCOBAR-ECK