

1 IN THE CIRCUIT COURT OF THE STATE OF OREGON
2 FOR MULTNOMAH COUNTY

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4 DAVID KOENIG	11 Case No.: 23CV15424
5 Plaintiff	12 PLAINTIFF’S RESPONSE TO
6 vs	13 DEFENDANT EVANS CLINCHY’S
7 EVANS CLINCHY	14 ADDITIONAL REQUESTS FOR
8 JENNIFER CLINCHY and	15 ADMISSION
9 BRIANNA (LOLA) McKISSEN	16
10 Defendants	17

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20 Plaintiff David Koenig hereby responds to Defendant Evans Clinchy’s Requests for
21 Admission pursuant to ORCP 45. In responding, Plaintiff does not concede the relevancy or
22 materiality of the questions or subjects to which the questions refer. Plaintiff’s responses are
23 made subject to, and without waiving or intending to waive, any questions or objections as to the
24 competency, relevancy, materiality, privilege, admissibility as evidence, or use for any other
25 purpose of any of the information provided or the subject matter thereof. Any responses are
26 based on information presently known and are given without prejudice to Plaintiff’s right to
27 provide or introduce at trial evidence of any subsequently discovered facts. Subject to, and
28 without waiving the foregoing conditions, Plaintiff provides the following responses.

29

1 **4. As of July 6, 2023, plaintiff had disclosed communications with his attorney to one**
2 **or more third parties pertaining to the subject matter of this litigation.** (Identified as
3 Request number 1 on Defendant’s Request for Admission filed July 7, 2023.)

4 Admit or Deny: Plaintiff denies the request.

5 **5. As of July 6, 2023, plaintiff had created false records pertaining to this case.**
6 (Identified as Request number 2 on Defendant’s Request for Admission filed July 7, 2023.)

7 Admit or Deny: Plaintiff denies the request.

8 **6. As of July 6, 2023, plaintiff had attempted to tamper with or otherwise falsify**
9 **statements of one or more witnesses in this case.** (Identified as Request number 3 on
10 Defendant’s Request for Admission filed July 7, 2023.)

11 Admit or Deny: Plaintiff denies the request.

12 **7. As of July 5, 2023, plaintiff had failed to disclose to his attorney the existence of**
13 **responsive communications that plaintiff had made to one or more third parties pertaining**
14 **to the subject matter of this litigation.** (Identified as Request number 4 on Defendant’s Request
15 for Admission filed July 7, 2023.)

16 Admit or Deny: Plaintiff denies the request.

17 **8. As of July 7, 2023, plaintiff had failed to disclose to defendant the existence of**
18 **responsive communications that plaintiff had made one or more third parties pertaining to**
19 **the subject matter of this litigation.** (Identified as Request number 5 on Defendant’s Request
20 for Admission filed July 7, 2023.)

21 Admit or Deny: Plaintiff denies the request.

22 **9. As of July 6, 2023, plaintiff had waived attorney-client privilege by disclosing**
23 **communications with his attorney to one or more third parties pertaining to the subject**

1 **matter of this litigation.** (Identified as Request number 6 on Defendant's Request for Admission
2 filed July 7, 2023.)

3 Admit or Deny: Plaintiff denies the request.

4

5 August 4, 2023.

6

/s/ David Koenig

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[REDACTED]

8

[REDACTED]

9

[REDACTED]

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Plaintiff, representing *pro se*

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2 **PROOF OF SERVICE**

3 I certify that I caused this document to be served via e-mail on:

4
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12
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14 % Atty: Ashley L. Vaughn
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19
20 August 4, 2023.

21 /s/ David Koenig

22 [REDACTED]
23 [REDACTED]
24 [REDACTED]

25 Plaintiff, representing *pro se*