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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF INYO, MAIN COURTHOUSE

In re the Matter of the L.L. NUNN TRUST for the benefit of DEEP SPRINGS COLLEGE under Deed of Trust dated November 5, 1923	Case No. SICVPB 12-53232 Assigned for All Purposes to: Hon. Dean T. Stout **REQUEST FOR PRODUCTION OF DOCUMENTS, SET THREE** Date Action Filed: February 6, 2012 Trial Date: April 28, 2014

PROPOUNDING PARTY:	Objectors/Respondents Kinch Hoekstra and Ed Keonjian, Trustees of The L.L. Nunn Trust
RESPONDING PARTY:	David Hitz, Acting on behalf of the Board of Trustees of the L.L. Nunn Trust
SET NO.:	Three

TO PETITIONER DAVID HITZ, ACTING ON BEHALF OF THE BOARD OF TRUSTEES, AND THEIR COUNSEL OF RECORD:

Pursuant to California Code of Civil Procedure section 2031.010 *et seq.*, objectors/respondents Kinch Hoekstra and Edward Keonjian, Trustees of the L.L. Nunn Trust hereby requests that Petitioner David Hitz, acting on behalf of the Board of Trustees, produce the documents, records, and other tangible things requested below at the offices of Browne George Ross LLP, 2121 Avenue of the Stars, Suite 2400, Los Angeles, CA 90067, within thirty days of service.

DEFINITIONS AND INSTRUCTIONS

The following definitions apply to these document requests:

1. "L.L. NUNN TRUST" means the charitable trust established by the Deed of Trust executed in 1923 by L.L. Nunn, also known variously as "Deep Springs Trustees", "Trustees of Deep Springs", "Deep Springs College", "Deep Springs Trust", "Deep Springs Free Educational Trust", and/or "L. L. Nunn Deed of Trust".

2. "PERSON" means, unless otherwise specified, any natural person, firm, entity, corporation, partnership, proprietorship, association, joint venture, other form of organization or arrangement, and government and government agency of every nature or type.

3. "PETITIONER," "YOU," and "YOUR" mean Petitioner David Hitz acting on behalf of the Board of Trustees of the L.L. Nunn Trust and any other PERSON representing him or acting on his behalf.

4. "DOCUMENT(S)" means and includes, but is not limited to:

a. any and all written, recorded or graphic material, however produced or reproduced and all other tangible objects, including, but not limited to, blueprints, drawings, plans,

diagrams, engineering drawings, schematics, specification sheets, illustrations, pictures, sketches, designs, design specifications, flow charts, annotations, studies, formulas, lists, layouts, representations, depictions, photographs, annual reports, quarterly reports, financial statements, financial reports, books of account, ledgers, journals, journal entries, trial balances, purchase orders, checks, invoices, receipts, contracts, agreements, billing statements, minutes, transcripts, memoranda, appraisals, analyses, reports, financial calculations, financial presentations, inventory sheets, sales orders, warehouse receipts, calendars, appointment books, day books, diaries, letters, passports, correspondence, telegrams, press releases, notes, jottings, working papers, permanent files, general correspondence files, accounting manuals, auditing manuals, schedules, tabulations, projections, surveys, graphs, charts, files, tapes, disks, drums, printouts, telephone bills, all other data whether recorded by electronic, microfilm, microfiche, computer tape, computer disk, database or other means and all drafts and summaries thereof and any DOCUMENTS within the scope of California Code of Civil Procedure section 2031 and California Evidence Code sections 250, 255, and 260. If a document was prepared and several copies were made or if additional copies were thereafter made and any such copy is no longer identical by reason of subsequent notation or modification of any kind whatsoever, including, without limitation, notations on the front or back of the pages thereof, then each such non-identical copy is a separate document and must be produced; and

b. Copies of such DOCUMENTS on which appear any initialing, notation or handwriting of any kind not appearing on the original.

"DOCUMENT(S)" means and includes subsections a. and b. above, whether such DOCUMENTS were prepared for PETITIONER for PETITIONER'S own use, or for transmittal in any manner or received by any means by PETITIONER; and wherever such DOCUMENTS are located, whether in the files of any agent, attorney, representative or employee of PETITIONER or in any file whatsoever in the possession, direction or control of PETITIONER and/or PETITIONER'S agents, attorneys, representatives or employees.

The requested DOCUMENTS each include all attachments to the specifically described DOCUMENTS, all envelopes, explanatory notes or memoranda, and any other material that

accompanied the document(s). If the specific document elicited a response, that response is also to be identified and produced. If the document was itself a response, the document to which it responded is also to be identified and produced.

5. YOU are requested to segregate and designate by category number the DOCUMENTS produced. Thus, for example, DOCUMENTS produced pursuant to Category No. 9 should be so labeled and grouped separately from DOCUMENTS produced pursuant to other specific categories of DOCUMENTS.

6. If YOU object to the production of any document on the grounds that it is protected from disclosure by the attorney-client privilege, work-product doctrine or any other privilege, YOU are requested to identify each document for which the privilege is claimed and give the following information:

a. the name of the writer, sender, or initiator of each copy of the document;

b. the name of the recipient, addressee, or party to whom any copy of the document was sent;

c. the date of each copy of the document, if any, or an estimate of its date;

d. a statement of the basis for the claim of privilege; and a description of the document sufficient for the Court to rule on the applicability and appropriateness of the claimed privilege.

DOCUMENTS TO BE PRODUCED

REQUEST FOR PRODUCTION NO. 9:

All DOCUMENTS that reflect the reasons any person did not apply for a faculty or staff position at Deep Springs College within the past 15 years.

REQUEST FOR PRODUCTION NO. 10:

All DOCUMENTS recording the impressions by interviewers of applicants interviewed for the jobs of president, dean or faculty at Deep Springs College within the past 15 years. For the purposes of responding to this request, the names of the interviewees may be redacted and replaced with an identifying code such that all DOCUMENTS reflecting interviews with the same interviewee bear the same identifying code.

REQUEST FOR PRODUCTION NO. 11:

All DOCUMENTS that reflect the reason any potential applicant did or did not apply for admission to Deep Springs College within the past 15 years. For the purposes of responding to this request, the names of the potential applicants may be redacted.

REQUEST FOR PRODUCTION NO. 12:

All DOCUMENTS containing or compiling the responses given by potential applicants to the formal surveys of potential applicants conducted during the student recruitment process in 1985. For the purposes of responding to this request, the names of the potential applicants surveyed may be redacted.

REQUEST FOR PRODUCTION NO. 13:

All DOCUMENTS containing or compiling the responses given by potential applicants to the formal surveys of potential applicants conducted during the student recruitment process in 2008. For the purposes of responding to this request, the names of the potential applicants surveyed may be redacted.

REQUEST FOR PRODUCTION NO. 14:

All DOCUMENTS relating to the methodology by which the surveys described in the requests 12 and 13, above, were conducted.

REQUEST FOR PRODUCTION NO. 15:

All DOCUMENTS that reflect the reasons for choosing not to attend Deep Springs College given by any applicant who was offered admission to Deep Springs College within the past 15 years and chose not to attend.

REQUEST FOR PRODUCTION NO. 16:

All DOCUMENTS sent to potential donors for the purpose of raising funds for Deep Springs College in the past 15 years.

REQUEST FOR PRODUCTION NO. 17:

All DOCUMENTS reflecting the reasons any potential donor declined to contribute to Deep Springs College in the past 15 years.

REQUEST FOR PRODUCTION NO. 18:

All DOCUMENTS reflecting the reasons any donor agreed to contribute to Deep Springs College in the past 15 years.

REQUEST FOR PRODUCTION NO. 19:

All DOCUMENTS reflecting the reasons any alumnus of Deep Springs College withheld financial support from Deep Springs College in the past 15 years.

REQUEST FOR PRODUCTION NO. 20:

All DOCUMENTS reflecting the reasons any alumnus of Deep Springs College agreed to support Deep Springs College in the past 15 years.

REQUEST FOR PRODUCTION NO. 21:

All DOCUMENTS referring or relating to efforts by Deep Springs College alumni to actively dissuade their peers from giving to the Deep Springs College annual fund drive or arrange bequests to Deep Springs College.

REQUEST FOR PRODUCTION NO. 22:

All DOCUMENTS referring or relating to any "coeducational trust fund" to which Deep Springs College alumni have purportedly contributed in lieu of contributing to Deep Springs College.

REQUEST FOR PRODUCTION NO. 23:

All DOCUMENTS reflecting the amount of financial assistance provided by Telluride Association to Deep Springs College in the past 15 years.

REQUEST FOR PRODUCTION NO. 24:

All DOCUMENTS reflecting the reasons Telluride Association increased or decreased its financial assistance to Deep Springs College in the past 15 years.

REQUEST FOR PRODUCTION NO. 25:

All DOCUMENTS distributed by representatives of Deep Springs College in the past 15 years to professional meetings, to academic and civic organizations, or to students, prospective students or their parents, which DOCUMENTS include a defense or discussion of Deep Springs College's single-sex admission policy.

REQUEST FOR PRODUCTION NO. 26:

All DOCUMENTS containing transcripts of speeches given by representatives of Deep Springs College in the past 15 years to professional meetings, to academic and civic organizations, or to students, prospective students or their parents, which speeches included a defense or discussion of Deep Springs College's single-sex admission policy.

REQUEST FOR PRODUCTION NO. 27:

All DOCUMENTS containing notes reflecting the content of speeches given by representatives of Deep Springs College in the past 15 years to professional meetings, to academic and civic organizations, or to students, prospective students or their parents, which speeches included a defense or discussion of Deep Springs College's single-sex admission policy.

REQUEST FOR PRODUCTION NO. 28:

All DOCUMENTS reflecting the reputation of Deep Springs College in the academic community in the past 15 years.

REQUEST FOR PRODUCTION NO. 29:

All DOCUMENTS reflecting any damage to Deep Springs College's interests – in terms of academic reputation, student and faculty recruiting, and moral and fiscal support – for any reason in the past 15 years.

REQUEST FOR PRODUCTION NO. 30:

Every Dean's Report provided to the Trustees of the L.L. NUNN TRUST in the past 15 years.

REQUEST FOR PRODUCTION NO. 31:

Every Applications Committee report prepared in the past 15 years.

REQUEST FOR PRODUCTION NO. 32:

Every Communications Committee report prepared in the past 15 years.

REQUEST FOR PRODUCTION NO. 33:

Every Curriculum Committee report prepared in the past 15 years.

REQUEST FOR PRODUCTION NO. 34:

Every President's Report prepared in the past 15 years.

REQUEST FOR PRODUCTION NO. 35:

The accreditation report prepared by or on behalf of Deep Springs College in or about 2010.

REQUEST FOR PRODUCTION NO. 36:

Every preliminary or final accreditation report submitted by or on behalf of Deep Springs College to or for use by the Western Association of Schools and Colleges in the past 15 years.

REQUEST FOR PRODUCTION NO. 37:

All DOCUMENTS, including any surveys, raw data, compilations of data or research reports, that contain the data used to prepare the accreditation report prepared by Deep Spring College in or about 2010.

REQUEST FOR PRODUCTION NO. 38:

Every annual report prepared by or for Deep Springs College in the past 15 years.

REQUEST FOR PRODUCTION NO. 39:

Every newsletter prepared by or for Deep Springs College and transmitted to alumni or potential donors in the past 15 years.

REQUEST FOR PRODUCTION NO. 40:

Every DOCUMENT prepared in the past 15 years by or for any representative of Deep Springs College or of the Board of Trustees of the L.L. NUNN TRUST for the purpose of assisting fundraisers and others in raising funds for Deep Springs College.

REQUEST FOR PRODUCTION NO. 41:

All DOCUMENTS that reflect any fellowships or scholarships received by alumni or students at Deep Springs College in the past 15 years.

REQUEST FOR PRODUCTION NO. 42:

All DOCUMENTS that reflect the academic qualification – including but not limited to grades, SAT scores, SAT Subject Test scores and Advanced Placement Test scores – of students who attended Deep Springs College in the past 15 years. For the purposes of responding to this request, the names of the students may be redacted.

REQUEST FOR PRODUCTION NO. 43:

All DOCUMENTS reflecting the size of the endowment of Deep Springs College at all times in the past 15 years.

REQUEST FOR PRODUCTION NO. 44:

All balance sheets or other equivalent documents (reflecting assets and liabilities) for the L.L. NUNN TRUST at all times in the past 15 years.

REQUEST FOR PRODUCTION NO. 45:

All balance sheets or other equivalent documents (reflecting assets and liabilities) for the Deep Springs College Corporation at all times in the past 15 years.

REQUEST FOR PRODUCTION NO. 46:

All DOCUMENTS reviewed by the Trustees of the L.L. NUNN TRUST or their agents or advisers in the past 15 years for the purpose of assessing the relative merits of all-male education versus coeducation with respect to educating students in a manner emphasizing the need and opportunity for unselfish service in uplifting mankind from materialism to idealism.

REQUEST FOR PRODUCTION NO. 47:

All DOCUMENTS reviewed by the Trustees of the L.L. NUNN TRUST or their agents or advisers in the past 15 years for the purpose of assessing the relative merits of all-male education versus coeducation with respect to educating students to lead a life in harmony with the Creator.

REQUEST FOR PRODUCTION NO. 48:

All DOCUMENTS reviewed by the Trustees of the L.L. NUNN TRUST or their agents or advisers in the past 15 years for the purpose of assessing the relative merits of all-male education versus coeducation with respect to the value to the students' education of democratic self government by students.

REQUEST FOR PRODUCTION NO. 49:

All DOCUMENTS reviewed by the Trustees of the L.L. NUNN TRUST or their agents or advisers in the past 15 years for the purpose of assessing the difference in quality of education between male-only and coeducational college education.

REQUEST FOR PRODUCTION NO. 50:

All DOCUMENTS reviewed by the Trustees of the L.L. NUNN TRUST or their agents or advisers in the past 15 years reporting on or reflecting research regarding how college men and women differ in the ways they respond to human conditions.

REQUEST FOR PRODUCTION NO. 51:

All DOCUMENTS reviewed by the Trustees of the L.L. NUNN TRUST or their agents or advisers in the past 15 years reporting on or reflecting research regarding whether men tend primarily toward analytical responses to phenomena around them.

REQUEST FOR PRODUCTION NO. 52:

All DOCUMENTS reviewed by the Trustees of the L.L. NUNN TRUST or their agents or advisers in the past 15 years reporting on or reflecting research regarding whether women's responses to phenomena around them more often include deep feelings about human challenges and predicaments.

REQUEST FOR PRODUCTION NO. 53:

All DOCUMENTS reviewed by the Trustees of the L.L. NUNN TRUST or their agents or advisers in the past 15 years for the purpose of assessing whether or not an abundance of heart is more likely to develop in college students when men and women are educated together.

REQUEST FOR PRODUCTION NO. 54:

All DOCUMENTS containing or compiling the responses to any surveys given in the past 15 years to Deep Springs College alumni regarding the quality of Deep Springs College's educational program.

REQUEST FOR PRODUCTION NO. 55:

All DOCUMENTS that reflect efforts by the L.L. NUNN TRUST in the past 15 years to increase the number of students at Deep Springs College.

REQUEST FOR PRODUCTION NO. 56:

All DOCUMENTS that reflect efforts by the L.L. NUNN TRUST in the past 15 years to increase the number of student applicants at Deep Springs College.

REQUEST FOR PRODUCTION NO. 57:

All DOCUMENTS that reflect efforts by the L.L. NUNN TRUST in the past 15 years to address any negative impacts of Deep Springs College's single-sex admission policy on faculty and staff recruiting at Deep Springs College.

REQUEST FOR PRODUCTION NO. 58:

All DOCUMENTS that reflect efforts by the L.L. NUNN TRUST in the past 15 years to address any negative impacts of Deep Springs College's single-sex admission policy on fundraising for the benefit of Deep Springs College.

REQUEST FOR PRODUCTION NO. 59:

All DOCUMENTS that reflect efforts by the L.L. NUNN TRUST in the past 15 years to address any negative impacts of Deep Springs College's single-sex admission policy on the quality of education at Deep Springs College.

REQUEST FOR PRODUCTION NO. 60:

All discoverable reports and writings made by any expert designated by YOU in the course of preparing that expert's opinion.

DATED: January 24, 2014

BROWNE GEORGE ROSS LLP
Eric M. George
Ira Bibbero

ORRICK, HERRINGTON & SUTCLIFFE LLP
Joseph C. Liburt

HEATHER M. HOEKSTRA

By _____
Eric M. George
Attorneys for Kinch Hoekstra, Edward Keonjian, Trustees of the L.L. Nunn Trust

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 2121 Avenue of the Stars, Suite 2400, Los Angeles, CA 90067.

On January 24, 2014, I served true copies of the following document(s) described as **REQUEST FOR PRODUCTION OF DOCUMENTS, SET THREE** on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY OVERNIGHT DELIVERY: I enclosed said document(s) in an envelope or package provided by the overnight service carrier and addressed to the persons at the addresses listed in the Service List. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight service carrier or delivered such document(s) to a courier or driver authorized by the overnight service carrier to receive documents.

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

Executed on January 24, 2014, at Los Angeles, California.

Claudia Bonilla

SERVICE LIST

In re the Matter of the L.L. Nunn Trust for the benefit of Deep Springs College under the Deed of Trust dated November 5, 1923

INYO SUPERIOR COURT, Case No. SICVPB 12-53232

BAKER MANOCK & JENSEN, PC Christopher L. Campbell, SBN 116329 Jeffrey A. Jaech, SBN 076876 Dirk B. Paloutzian, SBN 173676 Amber M. Bridges 5260 North Palm Avenue, Suite 421 Fresno, CA 93704 Tel. (559) 432-5400 / Fax (559) 432-5620 CCampbell@bakermanock.com DPaloutzian@bakermanock.com ABridges@bakermanock.com JJaech@bakermanock.com	Counsel for David Hitz
Jon Michaelson K & L GATES, LLP 630 Hansen Way Palo Alto, CA 94304	Counsel for Deep Springs College Corporation
Ms. Tania M. Ibanez Supervising Deputy Attorney General Charitable Trusts Section California Attorney General's Office 300 S. Spring Street, Suite 1702 Los Angeles, CA 90013	Attorney General

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 2121 Avenue of the Stars, Suite 2400, Los Angeles, CA 90067.

On January 24, 2014, I served true copies of the following document(s) described as **REQUEST FOR PRODUCTION OF DOCUMENTS, SET THREE** on the interested parties in this action as follows:

LAW OFFICES OF PETER E. TRACY — Counsel for David Hitz
Peter Tracy, SBN 78185
106 South Main Street, Suite 200
P. O. Box 485
Bishop, CA 93515
Tel. (760) 872-1101 / Fax (760) 872-2971
inyomono@stanfordalumni.org

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Browne George Ross LLP's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

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

Executed on January 24, 2014, at Los Angeles, California.

Claudia Bonilla