

Honorable Samuel J. Steiner

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UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE:

MICHAEL R. MASTRO,

Debtor.

BANKRUPTCY NO. 09-16841 (Ch. 7)

JAMES F. RIGBY, JR., Trustee, solely in
his capacity as Chapter 7 trustee of the
bankruptcy estate of Michael R. Mastro,

Plaintiff,

ADVERSARY CASE NO. 09-01439-SJS

PLAINTIFF'S FIRST REQUESTS
TO THE LCY TRUST, COMPASS
TRUST CORPORATION, AND
COMPASS S.A. FOR PRODUCTION
OF DOCUMENTS

v.

MICHAEL R. MASTRO and LINDA A.
MASTRO; MICHAEL K. MASTRO and
JANE DOE MASTRO, husband and wife
and the marital community composed
thereof; LCY, LLC, a Delaware limited
liability corporation; MASTRO
REVOCABLE LIVING TRUST; MASTRO
IRREVOCABLE TRUST; LCY, LLC-
SERIES HOMES; LCY, LLC-SERIES
JEWELRY; LCY, LLC-SERIES
AUTOMOBILES; THE LCY TRUST, a
trust purported to be formed in Belize;
COMPASS TRUST CORPORATION, a

FIRST REQUESTS TO THE LCY TRUST,
COMPASS TRUST CORPORATION AND
COMPASS S.A. FOR PRODUCTION - 1

HALL ZANZIG CLAFLIN MCEACHERN

1200 Fifth Ave., Suite 1414, Seattle, WA 98101 206.292.5900

1 trust of unknown origin using an address
2 in Belize City, Belize; COMPASS S.A.;
3 CONCEPT DORSSERS, a purported
4 Monaco company; and FOUNDATION
MANAGEMENT INC., a Washington
corporation,

5
6 Defendants.

7 Plaintiff requests that defendants The LCY Trust, Compass Trust
8 Corporation, and Compass S.A. ("Defendants") produce within thirty (30) days of
9 receipt of these document requests the following-described documents for
10 inspection and copying at the law offices of Hall Zanzig Claflin McEachern PLLC,
11 1200 Fifth Avenue, Suite 1414, Seattle, Washington 98101, or at such other place as
12 is mutually agreed upon.
13

14 Each request for production requests all documents that are in the
15 custody or control of Defendants, including all documents in the possession of
16 agents such as accountants, lawyers and other representatives.
17

18 DEFINITIONS

19 As used in these requests for production, the following words and
20 phrases shall have the following meanings:
21

22 1. Document. "Document" is used in the broadest sense
23 permissible under Fed. R. Civ. P. 34 and is meant to include any medium upon
24 which intelligence or information can be recorded or retrieved. This includes,
25 without limitation, the original and each non-identical copy (whether non-
26

1 identical because of alteration, attachments, blanks, comments, notes, underlining
2 or otherwise) of any paper; photograph; audio tape; video tape; microfilm; data
3 sheet or data processing card, information stored electronically on computer,
4 optical disk, floppy disk, hard disk drive, computer tape, or other computer
5 storage media or any other written, electronically stored, recorded, transcribed,
6 punched, taped, filmed or graphic matter, however produced or reproduced.
7

8 Document specifically includes electronic mail ("e-mail").
9

10 2. Or. The term "or" should not be read to eliminate any part of
11 any request but, whenever possible, should be used in the sense that the phrase
12 "and/or" is normally used.

13 3. Claim of Privilege. For each document as to which privilege
14 is claimed, state the date of the document, the author, the recipient(s) of the
15 document, the general subject of the document, and the basis for the claim of
16 privilege.
17

18 4. Relating. A communication or document "relating" to any
19 given subject means any communication or document that constitutes, contains,
20 embodies, reflects, identifies, states, refers to, deals with, or is in any way
21 pertinent to that subject, including, without limitation, documents concerning the
22 preparation of other documents.
23

24 5. LCY LLC Entities. "LCY LLC Entities" means LCY, LLC;
25 LCY, LLC-Series Homes; LCY, LLC-Series Jewelry; and LCY, LLC-Series
26

1 Automobiles.

2 **Electronically Stored Information**

3 Pursuant to Fed. R. Civ. P. 34(b)(1)(C), you are requested to produce
4 all electronically-stored information in native format.
5

6 **DOCUMENT REQUESTS**

7 REQUEST FOR PRODUCTION NO. 1: All documents relating to the
8 beneficiaries of The LCY Trust.

9 RESPONSE:
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12 REQUEST FOR PRODUCTION NO. 2: All documents relating to the
13 Trustee of The LCY Trust.
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15 RESPONSE:
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18 REQUEST FOR PRODUCTION NO. 3: All documents relating to the
19 Protector of The LCY Trust.

20 RESPONSE:
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23 REQUEST FOR PRODUCTION NO. 4: All documents relating to the
24 Advisory Committee for the Protector of The LCY Trust.
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RESPONSE:

REQUEST FOR PRODUCTION NO. 5: All documents relating to the formation of The LCY Trust.

RESPONSE:

REQUEST FOR PRODUCTION NO. 6: All documents relating to any amendments or revisions to The LCY Trust.

RESPONSE:

REQUEST FOR PRODUCTION NO. 7: All documents relating to the implementation or any efforts to implement the powers held by the Trustee under The LCY Trust.

RESPONSE:

REQUEST FOR PRODUCTION NO. 8: All documents relating to assets of The LCY Trust.

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REQUEST FOR PRODUCTION NO. 9: All banking records of The
LCY Trust.

RESPONSE:

REQUEST FOR PRODUCTION NO. 10: All documents relating to
transactions of any kind engaged in by The LCY Trust.

RESPONSE:

REQUEST FOR PRODUCTION NO. 11: All documents relating to
the governance of The LCY Trust.

RESPONSE:

REQUEST FOR PRODUCTION NO. 12: All documents relating to
any employees of The LCY Trust.

RESPONSE:

REQUEST FOR PRODUCTION NO. 13: All documents relating to
any person or entity holding an ownership interest in The LCY Trust.

RESPONSE:

1 REQUEST FOR PRODUCTION NO. 14: All documents showing
2 money received and money spent by or on behalf of The LCY Trust.

3 RESPONSE:
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6 REQUEST FOR PRODUCTION NO. 15: All documents showing the
7 source of funds used to pay legal fees and other expenses incurred for the benefit
8 of The LCY Trust.
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10 RESPONSE:
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13 REQUEST FOR PRODUCTION NO. 16: All documents showing the
14 distribution of any funds from The LCY Trust.
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16 RESPONSE:
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19 REQUEST FOR PRODUCTION NO. 17: To the extent not produced
20 in response to other requests, all documents within the possession or control of
21 The LCY Trust.

22 RESPONSE:
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25 REQUEST FOR PRODUCTION NO. 18: All documents relating to
26 the formation of Compass Trust Corporation.

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RESPONSE:

REQUEST FOR PRODUCTION NO. 19: All financial statements for
Compass Trust Corporation.

RESPONSE:

REQUEST FOR PRODUCTION NO. 20: All records for bank
accounts maintained by Compass Trust Corporation on its own behalf or for the
benefit of any other person or entity.

RESPONSE:

REQUEST FOR PRODUCTION NO. 21: All documents relating to
transactions of any kind engaged in by Compass Trust Corporation with respect to
any person, entity, or asset in the State of Washington.

RESPONSE:

REQUEST FOR PRODUCTION NO. 22: All documents relating to
the governance of Compass Trust Corporation.

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RESPONSE:

REQUEST FOR PRODUCTION NO. 23: All documents relating to any employees of Compass Trust Corporation.

RESPONSE:

REQUEST FOR PRODUCTION NO. 24: All documents relating to any person or entity holding an ownership interest in Compass Trust Corporation.

RESPONSE:

REQUEST FOR PRODUCTION NO. 25: All documents showing the source of funds used to pay legal fees and other expenses incurred for the benefit of Compass Trust Corporation with respect to the matters at issue in this adversary proceeding.

RESPONSE:

REQUEST FOR PRODUCTION NO. 26: All documents relating to the formation of Compass S.A.

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RESPONSE:

REQUEST FOR PRODUCTION NO. 27: All financial statements for
Compass S.A.

RESPONSE:

REQUEST FOR PRODUCTION NO. 28: All records for bank
accounts maintained by Compass S.A. on its own behalf or for the benefit of any
other person or entity.

RESPONSE:

REQUEST FOR PRODUCTION NO. 29: All documents relating to
transactions of any kind engaged in by Compass S.A. with respect to any person,
entity, or asset in the State of Washington.

RESPONSE:

REQUEST FOR PRODUCTION NO. 30: All documents relating to
the governance of Compass S.A.

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RESPONSE:

REQUEST FOR PRODUCTION NO. 31: All documents relating to any employees of Compass S.A.

RESPONSE:

REQUEST FOR PRODUCTION NO. 32: All documents relating to any person or entity holding an ownership interest in Compass S.A.

RESPONSE:

REQUEST FOR PRODUCTION NO. 33: All documents showing the source of funds used to pay legal fees and other expenses incurred for the benefit of Compass S.A. with respect to the matters at issue in this adversary proceeding.

RESPONSE:

REQUEST FOR PRODUCTION NO. 34: All documents relating to the LCY LLC Entities.

RESPONSE:

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REQUEST FOR PRODUCTION NO. 35: All documents relating to communications between any of the defendants.

RESPONSE:

REQUEST FOR PRODUCTION NO. 36: All documents relating to communications between legal counsel for defendants concerning any matter that is directly or indirectly related to Michael R. Mastro.

RESPONSE:

REQUEST FOR PRODUCTION NO. 37: All documents relating to Mary Simon, William Vigal, or Vigal & Simon, Inc.

RESPONSE:

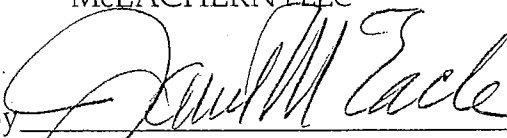
REQUEST FOR PRODUCTION NO. 38: All documents relating to Michael R. Mastro, Linda A. Mastro or Michael K. Mastro.

RESPONSE:

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DATED this 30th day of December, 2009.

HALL ZANZIG CLAFLIN
McEACHERN PLLC

By 

Spencer Hall, WSB No. 6162
Janet D. McEachern, WSB No. 14450

BUSH STROUT & KORNFELD
Gayle E. Bush, WSB No. 7318
Christine M. Tobin, WSB No. 27628

Attorneys for Plaintiff James F.
Rigby, Jr., Chapter 7 Trustee of the
Bankruptcy Estate of Michael R.
Mastro

RESPONSES dated this _____ day of January, 2010.

DAVIS WRIGHT TERMAINE LLP

By _____
Richard J. Schroeder, WSBA #11958
Attorneys for Defendants LCY Trust,
Compass Trust Corporation, and
Compass S.A.

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Honorable Samuel J. Steiner

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE:

MICHAEL R. MASTRO,

Debtor.

BANKRUPTCY NO. 09-16841 (Ch. 7)

JAMES F. RIGBY, JR., Trustee, solely in
his capacity as Chapter 7 trustee of the
bankruptcy estate of Michael R. Mastro,

Plaintiff,

ADVERSARY CASE NO. 09-01439-SJS

PLAINTIFF'S FIRST
INTERROGATORIES TO
THE LCY TRUST

v.

MICHAEL R. MASTRO and LINDA A.
MASTRO; MICHAEL K. MASTRO and
JANE DOE MASTRO, husband and wife
and the marital community composed
thereof; LCY, LLC, a Delaware limited
liability corporation; MASTRO
REVOCABLE LIVING TRUST; MASTRO
IRREVOCABLE TRUST; LCY, LLC-
SERIES HOMES; LCY, LLC-SERIES
JEWELRY; LCY, LLC-SERIES
AUTOMOBILES; THE LCY TRUST, a
trust purported to be formed in Belize;
COMPASS TRUST CORPORATION, a

1 trust of unknown origin using an address
2 in Belize City, Belize; COMPASS S.A.;
3 CONCEPT DORSSERS, a purported
4 Monaco company; and FOUNDATION
MANAGEMENT INC., a Washington
corporation,

5
6 Defendants.

7 Plaintiff requests that defendant LCY TRUST answer the following
8 interrogatories within thirty (30) days of service in accordance with
9 Fed. R. Civ. P. 33. These interrogatories seek all information available to the
10 responding party, whether such information is within the responding party's
11 personal possession or held by accountants, lawyers, banks or other accessible
12 sources.
13

14 DEFINITIONS

15 As used in these interrogatories, the following words and phrases
16 shall have the following meanings:
17

18 A. Identify. "Identify," when used in reference to a person,
19 means to state that person's full name, most recent business and residence
20 address, and most recent business title.
21

22 B. Identify. "Identify," when used in reference to an entity,
23 means to state the complete name and address of the entity, together with the
24 names and titles of any representatives of the entity known to you.
25

26 C. Or. The term "or" should not be read to eliminate any part of

1 any request but, whenever possible, should be used in the sense that the phrase
2 "and/or" is normally used.

3 D. Relating. A communication or document "relating" to any
4 given subject means any communication or document that constitutes, contains,
5 embodies, reflects, identifies, states, refers to, deals with, or is in any way
6 pertinent to that subject, including, without limitation, documents concerning the
7 preparation of other documents.
8

9 E. Defendant Mastro Entities. "Defendant Mastro Entities"
10 means the Mastro Revocable Living Trust, the Mastro Irrevocable Trust, the LCY
11 Trust, LCY LLC, LCY LLC - Series Home, LCY LLC - Series Jewelry, and LCY
12 LLC - Series Automobiles.
13

14 F. Compass Entity. "Compass Entity" means Compass Trust
15 Corporation, Compass S.A., Compass Group International, Compass Group
16 Corporate Services, Compass Group Belize, Compass NorthAmerica, Compass
17 Insurance Managers, or any affiliated person or entity.
18

19 **INTERROGATORIES**

20 INTERROGATORY NO. 1: Provide a detailed statement of all of the
21 current assets and liabilities of the LCY TRUST, including all account names and
22 numbers.
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24 RESPONSE:
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INTERROGATORY NO. 2: Identify the custodian of each asset of the LCY TRUST.

RESPONSE:

INTERROGATORY NO. 3: Provide complete information regarding the location of each asset of the LCY TRUST.

RESPONSE:

INTERROGATORY NO. 4: Provide a complete list of all transfers of assets into and out of the LCY TRUST from the time the trust was formed to the present, including the date of the transfer, a description of the asset, its estimated value, the identity of the transferor, and the identity of the transferee.

RESPONSE:

INTERROGATORY NO. 5: Identify all past and present trustees of the LCY TRUST, including the dates during which each trustee served as trustee.

RESPONSE:

INTERROGATORY NO. 6: Identify all past and present Protectors of the LCY TRUST, including the dates during which each Protector served as

1 Protector.

2 RESPONSE:

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5 INTERROGATORY NO. 7: To the extent not identified in response
6 to preceding interrogatories, identify all persons and entities who at any time have
7 had authority to act on behalf of the LCY TRUST, or to make or veto decisions on
8 behalf of the LCY TRUST, whether acting alone or in concert with other persons or
9 entities, including the dates during which such authority was held.

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RESPONSE:

INTERROGATORY NO. 8: Provide a list of all attorneys who have
represented the LCY TRUST from the date the trust was formed until the present,
including the dates during which each attorney represented the trust.

RESPONSE:

INTERROGATORY NO. 9: State the source of all payments made to
each attorney who has represented the LCY TRUST, including counsel of record in
this litigation.

RESPONSE:

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INTERROGATORY NO. 10: Provide a list of all insurance policies for which the LCY TRUST is a named insured or beneficiary.


RESPONSE:

INTERROGATORY NO. 11: Provide a complete list of all payments made by or at the direction of the LCY TRUST for the benefit of Michael R. Mastro, Linda A. Mastro, or any of the Defendant Mastro Entities.

RESPONSE:

DATED this 4th day of February, 2010.

HALL ZANZIG CLAFLIN
McEACHERN PLLC

By 
Spencer Hall, WSBA No. 6162
Janet D. McEachern, WSBA No. 14450

BUSH STROUT & KORNFELD
Gayle E. Bush, WSBA No. 7318
Christine M. Tobin, WSBA No. 27628

Attorneys for Plaintiff James F.
Rigby, Jr., Chapter 7 Trustee of
the Bankruptcy Estate of Michael R.
Mastro

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ANSWERS dated this _____ day of March, 2010.

DAVIS WRIGHT TREMAINE LLP

By _____
Richard J. Schroeder, WSBA No. 11958
Attorneys for Defendant LCY Trust

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VERIFICATION

STATE OF WASHINGTON)
)
COUNTY OF KING) ss.

_____ , being first duly sworn on
oath, deposes and says:

That he/she is the _____ of LCY TRUST, and is
authorized to verify answers to interrogatories herein; and that he/she has read
the foregoing answers to Plaintiff's First Interrogatories to the LCY TRUST, knows
the contents thereof, and believes the same to be true.

SUBSCRIBED AND SWORN to before me this _____ day of March,
2010.

(Signature of Notary)

(Printed Name)

Notary Public in and for the State of
Washington, residing at _____
My Commission expires: _____

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INTERROGATORY NO. 2: Identify the custodian of each asset of the LCY TRUST.

RESPONSE:

INTERROGATORY NO. 3: Provide complete information regarding the location of each asset of the LCY TRUST.

RESPONSE:

INTERROGATORY NO. 4: Provide a complete list of all transfers of assets into and out of the LCY TRUST from the time the trust was formed to the present, including the date of the transfer, a description of the asset, its estimated value, the identity of the transferor, and the identity of the transferee.

RESPONSE:

INTERROGATORY NO. 5: Identify all past and present trustees of the LCY TRUST, including the dates during which each trustee served as trustee.

RESPONSE:

INTERROGATORY NO. 6: Identify all past and present Protectors of the LCY TRUST, including the dates during which each Protector served as

1 Protector.

2 RESPONSE:

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INTERROGATORY NO. 7: Identify all past and present members of any Advisory Committee for the Protector of the LCY TRUST, including the dates during which each such Advisory Committee member served.

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RESPONSE:

INTERROGATORY NO. 8: To the extent not identified in response to the preceding interrogatory, identify all persons and entities who at any time have had authority to act on behalf of the LCY TRUST, or to make or veto decisions on behalf of the LCY TRUST, whether acting alone or in concert with other persons or entities, including the dates during which such authority was held.

RESPONSE:

INTERROGATORY NO. 9: Provide a list of all attorneys who have represented the LCY TRUST from the date the trust was formed until the present, including the dates during which each attorney represented the trust.

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RESPONSE:

INTERROGATORY NO. 10: State the source of all payments made to counsel of record for the LCY TRUST in this litigation.

RESPONSE:

INTERROGATORY NO. 11: Provide a complete list of all payments made by or at the direction of the LCY TRUST for the benefit of Michael R. Mastro, Linda A. Mastro, or any of the Defendant Mastro Entities.

RESPONSE:

INTERROGATORY NO. 12: Identify all persons and entities who at any time have had an ownership interest in Compass Trust, including the dates during which such ownership interest was held.

RESPONSE:

INTERROGATORY NO. 13: Identify all past and present employees of Compass Trust, including the dates of employment.

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INTERROGATORY NO. 14: Identify all past and present officers of
Compass Trust, including the dates each position was held.

RESPONSE:

INTERROGATORY NO. 15: Identify all past and present directors of
Compass Trust, including the dates each person was a director.

RESPONSE:

INTERROGATORY NO. 16: To the extent not identified in response
to preceding interrogatories, identify all persons and entities who at any time have
had authority to act on behalf of Compass Trust, or to make or veto decisions on
behalf of Compass Trust, whether acting alone or in concert with other persons or
entities, including the dates during which such authority was held.

RESPONSE:

INTERROGATORY NO. 17: Provide a list of all transactions
involving contacts with the State of Washington to which Compass Trust has been
a party or in which Compass Trust has had some other role, including the date of
the transaction, the identities of all parties to the transaction, and the nature of the
transaction. (For purposes of this interrogatory, any transaction involving a

1 person residing in the State of Washington or any asset located in the State of
2 Washington shall be deemed a transaction involving contacts with the State of
3 Washington. Compass Trust shall be deemed to have had a role in a transaction if
4 Compass Trust approved the transaction as a principal, as a trustee, as an officer,
5 as a director, or as an agent or was involved in any other way whatsoever.)
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7 RESPONSE:
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10 INTERROGATORY NO. 18: To the extent not identified in response
11 to the preceding interrogatory, provide a list of all transactions involving contacts
12 with the United States to which Compass Trust has been a party or in which
13 Compass Trust has had some other role, including the date of the transaction, the
14 identities of all parties to the transaction, and the nature of the transaction. (For
15 purposes of this interrogatory, any transaction involving a person residing in the
16 United States or any asset located in the United States shall be deemed a
17 transaction involving contacts with the United States. Compass Trust shall be
18 deemed to have had a role in a transaction if Compass Trust approved the
19 transaction as a principal, as a trustee, as an officer, as a director, or as an agent or
20 was involved in any other way whatsoever.)
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24 RESPONSE:
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1 INTERROGATORY NO. 19: Provide a list of all assets located in the
2 State of Washington with respect to which Compass Trust has any authority or
3 control, whether as owner, trustee, Protector or otherwise, including the owner(s)
4 of each asset, its location, and the dates during which Compass Trust has held
5 such authority or control. (This interrogatory includes, but is not limited to,
6 arrangements where Compass Trust has the ability to exercise control indirectly
7 through another entity - *e.g.*, the control that Compass Trust asserts over the
8 Defendant Mastro Entities and the Mastro residence through Compass Trust's role
9 in the LCY TRUST.)
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12 RESPONSE:
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15 INTERROGATORY NO. 20: To the extent not identified in response
16 to the preceding interrogatory, provide a list of all assets located in the United
17 States with respect to which Compass Trust has any authority or control, whether
18 as owner, trustee, Protector or otherwise, including the owner(s) of each asset, its
19 location, and the dates during which Compass Trust has held such authority or
20 control. (This interrogatory includes, but is not limited to, arrangements where
21 Compass Trust has the ability to exercise control indirectly through another
22 entity - *e.g.*, the control that Compass Trust asserts over the Defendant Mastro
23 Entities and the Mastro residence through Compass Trust's role in the LCY
24 TRUST.)
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RESPONSE:

INTERROGATORY NO. 21: Provide a list of every transaction in which William Vigal or Mary Simon has acted as an officer, director, or agent of Compass Trust, including the date of the transaction, the identities of all parties to the transaction, and the nature of the transaction.

RESPONSE:

DATED this 4th day of February, 2010.

HALL ZANZIG CLAFLIN
McEACHERN PLLC

By 
Spencer Hall, WSBA No. 6162
Janet D. McEachern, WSBA No. 14450

BUSH STROUT & KORNFIELD
Gayle E. Bush, WSBA No. 7318
Christine M. Tobin, WSBA No. 27628

Attorneys for Plaintiff James F.
Rigby, Jr., Chapter 7 Trustee of
the Bankruptcy Estate of Michael R.
Mastro

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ANSWERS dated this _____ day of March, 2010.

DAVIS WRIGHT TREMAINE LLP

By _____
Richard J. Schroeder, WSBA No. 11958
Attorneys for Defendant Compass
Trust Corporation

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VERIFICATION

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

_____, being first duly sworn on

oath, deposes and says:

That he/she is the _____ of Compass Trust Corporation, and is authorized to verify answers to interrogatories herein; and that he/she has read the foregoing answers to Plaintiff's First Interrogatories to Compass Trust Corporation knows the contents thereof, and believes the same to be true.

SUBSCRIBED AND SWORN to before me this _____ day of March, 2010.

(Signature of Notary)

(Printed Name)

Notary Public in and for the State of Washington, residing at _____
My Commission expires: _____