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In Pro Per

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Christine Baker;
Plaintiff,
v.
Trans Union LLC, et al;
Defendants.

CIV-07-8032-PCT-JAT
PLAINTIFF’S FIRST SET OF
REQUESTS FOR ADMISSIONS,
INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF
DOCUMENTS TO DEFENDANT
TRANS UNION LLC

Pursuant to Rules 33, 34 and 36 of the Federal Rules of Civil Procedures, Plaintiff Christine Baker hereby serves upon Defendant Trans Union LLC (“Trans Union”) the following requests for admissions, interrogatories and requests for production of documents, to be answered within 30 days from date of service.

INSTRUCTIONS

1. **ALL INFORMATION.** In answering this discovery, please furnish all information and documents which are available to you, including, without limitation, all documents in the possession of your attorneys, accountants, affiliates, auditors, agents, employees, officers, directors, shareholders, contractors, or other personnel, and not merely such documents as is in your own personal possession.

- 1 3. "**Document**" and "**record**" refer to any mechanism of preserving or transmitting
2 any information, whether it be written, printed, photographed, electronically or
3 magnetically recorded or otherwise made and maintained, all other documents
4 encompassed by Rule 34, Federal Rules of Civil Procedure, and every "writing,"
5 "recording," and "photograph," as those terms are defined in Rule 1001, Federal
6 Rules of Evidence, including all attachments or addenda annexed thereto, in your
7 possession, custody, or control.
- 8 4. "**Credit report**" and "**consumer disclosure**" refer to consumer credit data
9 compiled, stored and sold by credit reporting agencies.
- 10 5. "**Person**" means any natural person, corporation, partnership, proprietorship,
11 association, organization, team, or group of natural persons.
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15 **REQUESTS FOR ADMISSIONS**

16 Pursuant to Rules 36 of the Federal Rules of Civil Procedures, Plaintiff Christine
17 Baker requires Defendant Trans Union to admit or deny the Requests for Admissions set
18 forth below. All matters shall be deemed admitted unless a written answer or objection
19 addressed to such matter is served upon Plaintiff within (30) days after service of the
20 Requests for Admissions.
21

22 **ADMISSION NO. 1:**

23 Trans Union admits that it received Baker's 2/12/05 notice [Baker Initial
24 Disclosures Doc. 4] with her complaint about illegal credit report access through the
25 Dana Capital account and NCO.
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27 Admit _____ Deny _____
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ADMISSION NO. 2:

Trans Union admits that it did not investigate Dana Capital in response to Baker's 2/12/05 notice.

Admit _____ Deny _____

ADMISSION NO. 3:

Trans Union admits that it did not investigate the NCO resale of credit reports to Dana Capital.

Admit _____ Deny _____

ADMISSION NO. 4:

Trans Union admits that it continued to provide credit reports to NCO for resale to Dana Capital.

Admit _____ Deny _____

ADMISSION NO. 5:

Trans Union admits that it profited from the sale of credit reports to NCO for resale to Dana Capital.

Admit _____ Deny _____

1 ADMISSION NO. 6:

2 Trans Union admits that it sold Baker's credit report to NCO on 6/17/05.

3
4 Admit _____ Deny _____
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7 ADMISSION NO. 7:

8 Trans Union admits that it has no evidence of any collection creating a permissible
9 purpose for the 6/17/05 NCO credit inquiry.
10

11 Admit _____ Deny _____
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15 ADMISSION NO. 8:

16 Trans Union admits that it has no documentation of any permissible purpose for
17 the 6/17/05 NCO credit inquiry.

18
19 Admit _____ Deny _____
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22 ADMISSION NO. 9:

23 Trans Union admits that it provided Baker's credit data to NCO for resale to Dana
24 Capital on 3/5/07.

25
26 Admit _____ Deny _____
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28

1 ADMISSION NO. 10:

2 Trans Union admits that it continues to sell credit reports to NCO.

3
4 Admit _____ Deny _____
5
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7 ADMISSION NO. 11:

8 Trans Union admits that it split Baker's credit report into two reports.

9
10 Admit _____ Deny _____
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13 ADMISSION NO. 12:

14 Trans Union admits that it provided Baker's incomplete (split) credit reports to
15 creditors and insurers.
16

17
18 Admit _____ Deny _____
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21 ADMISSION NO. 13:

22 Trans Union admits that it knew that it split Baker's credit report since at least
23 2002.
24

25 Admit _____ Deny _____
26
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28

1 ADMISSION NO. 14:

2 Trans Union admits that it failed to merge Baker's split credit report into one file.

3
4 Admit _____ Deny _____
5
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7 ADMISSION NO. 15:

8 Trans Union admits that it is not capable of storing the large amounts of consumer
9 data without causing credit files to split.
10

11 Admit _____ Deny _____
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15 ADMISSION NO. 16:

16 Trans Union admits that creditors and insurers and prospective creditors and
17 insurers reviewing Baker's Trans Union credit reports did not receive all data in Baker's
18 Trans Union credit file.

19
20 Admit _____ Deny _____
21
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23 ADMISSION NO. 17:

24 Trans Union admits that it provided Baker's partial (split) credit reports on
25 numerous occasions to Baker's existing creditors and insurers and to prospective
26 creditors and insurers.
27

28 Admit _____ Deny _____

1 ADMISSION NO. 18:

2 Trans Union admits that since March 2006 it received Baker's disputes of the
3 Capital One "Date Closed" for her client with the Trans Union file # 167XXXXXX.

4
5 Admit _____ Deny _____
6

7 ADMISSION NO. 19:

8 Trans Union admits that in response to Baker's 3/2006 disputes, it corrected the
9 Capital One "Date Closed" for her client with the Trans Union file # 167XXXXXX.

10
11 Admit _____ Deny _____
12

13 ADMISSION NO. 20:

14 Trans Union admits that in 2007, it again reported the Capital One account without
15 the "Date Closed" for Baker's client with the Trans Union file # 167XXXXXX.

16
17 Admit _____ Deny _____
18
19

20 ADMISSION NO. 21:

21 Trans Union admits that it received Baker's 10/15/07 dispute regarding the
22 missing Capital One "Date Closed" for her client with the Trans Union file #
23 167XXXXXX:

24 ... On 4/6/06, Mariano Li finally fixed the discharged Capital One account
25 52910716XXXX after numerous disputes and he **added the date closed**
26 **(7/01)** to the reporting.

27 On 10/1/07, my client ordered her FICO report and her score was down to
28 617 (from 690 on 7/1/07), because **AGAIN** TU deleted the date closed!
WHY???

1 Please IMMEDIATELY correct your reporting or preferably, delete all
2 discharged accounts to avoid future problems. My client is seriously ill,
3 currently receiving chemo therapy has to move and the LAST thing she
4 needs is Trans Union causing her so much stress.

5 For more details please see
6 [http://creditsuit.org/credit.php?blog/comments/capital_one_again_deletes_date_closed_with_tu_fico_score_down_to_617/ . . .](http://creditsuit.org/credit.php?blog/comments/capital_one_again_deletes_date_closed_with_tu_fico_score_down_to_617/)

7
8 Admit _____ Deny _____

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10 ADMISSION NO. 22:

11 Trans Union admits that in response to Baker's 10/15/07 disputes, it corrected the
12 Capital One "Date Closed" for her client with the Trans Union file # 167XXXXXX.

13
14 Admit _____ Deny _____

15
16 ADMISSION NO. 23:

17 Trans Union admits that in response to Baker's 10/15/07 disputes, it reverted to an
18 old address for her client with the Trans Union file # 167XXXXXX.

19
20 Admit _____ Deny _____

21
22 ADMISSION NO. 24:

23 Trans Union admits that it received Baker's 11/14/07 fax regarding her client with
24 the Trans Union file # 167XXXXXX:

25 **4) Please explain how the discharged Capital One account Date Closed**
26 **was deleted.**

27 The Trans Union credit report now contains the correct Date Closed.

28 **The Trans Union FICO score increased by 81 points to 698.**

1 Trans Union previously corrected this date in response to our dispute. What
2 happened?

3 Will it be deleted again?

4 Does my client have to continually purchase Trans Union credit reports?

5
6 Is Trans Union going to reimburse my client for her time and expenses,
7 including my fee?

8 ...

9 Admit _____ Deny _____

10 ADMISSION NO. 25:

11 Trans Union admits that by 12/1/07, it again reported the Capital One account
12 without the "Date Closed" for Baker's client with the Trans Union file # 167XXXXXX.

13
14 Admit _____ Deny _____

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16 ADMISSION NO. 26:

17 Trans Union admits that it received Baker's 12/12/07 dispute for her client with
18 the Trans Union file # 167XXXXXX:

19 ...

20
21 **By 12/1/07, Trans Union had AGAIN deleted the Date Closed for the**
22 **Capital One account.**

23 The FICO score dropped to 633 and the myFICO report still contained the
24 old incorrect address.

25 What does a consumer have to do to get the credit she deserves?

26 ...

27 Admit _____ Deny _____

1 ADMISSION NO. 27:

2 Trans Union admits that its investigation of Baker’s 12/12/07 dispute of the
3 Capital One “Date Closed” for her client with the Trans Union file # 167XXXXXX
4 resulted in the verification of the reporting of the Capital One account without reporting
5 the “Date Closed.”

6
7 Admit _____ Deny _____
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9 ADMISSION NO. 28:

10 Trans Union admits that despite receipt of Baker’s numerous disputes, it failed to
11 report the Capital One “Date Closed” for Baker’s client with the Trans Union file #
12 167XXXXXX.
13

14
15 Admit _____ Deny _____
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17 ADMISSION NO. 29:

18 Trans Union admits that it failed to report the Capital One “Date Closed” for
19 Baker’s client with the Trans Union file # 167XXXXXX to inflict damages on Baker.
20

21 Admit _____ Deny _____
22

23 ADMISSION NO. 30

24 Trans Union admits that it frequently reports student loans with a current balance
25 higher than the “High Balance”.
26

27 Admit _____ Deny _____
28

1 ADMISSION NO. 31:

2 Trans Union admits that the correctly reported balance for any account can not
3 possibly exceed the correctly reported “High Balance”, the highest amount owed on the
4 account.

5
6 Admit _____ Deny _____
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9 ADMISSION NO. 32:

10 Trans Union admits that it continued to report a “High Balance” lower than the
11 balance after receiving consumer disputes of the incorrectly reported “High Balance”.
12

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14 Admit _____ Deny _____
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17 ADMISSION NO. 33:

18 Trans Union admits that Fair Isaac’s FICO scores can be severely lowered due to
19 the reporting of a balance higher than the “High Balance”.
20

21 Admit _____ Deny _____
22
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24 ADMISSION NO. 34:

25 Trans Union admits that its TrueCredit credit scores can be 80 points higher than
26 Fair Isaac’s FICO scores.
27

28 Admit _____ Deny _____

1 ADMISSION NO. 35:

2 Trans Union admits that its TrueCredit credit scores are advertised on its consumer
3 disclosures as the “TransUnion Personal Credit Score.”

4
5 Admit _____ Deny _____
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7 ADMISSION NO. 36:

8 Trans Union admits that its TrueCredit credit scores are not utilized by mortgage
9 lenders.

10
11 Admit _____ Deny _____
12

13 ADMISSION NO. 37:

14 Trans Union admits that its TrueCredit credit scores are not utilized by any
15 creditors to approve or deny credit applications.

16
17 Admit _____ Deny _____
18

19 ADMISSION NO. 38:

20 TransUnion admits that it makes no effort to understand FICO scoring principles.

21
22 Admit _____ Deny _____
23

24 ADMISSION NO. 39:

25 Trans Union admits that it prevented Baker from ordering her Trans Union credit
26 reports with the FICO scores at myFICO.com.

27
28 Admit _____ Deny _____

1 ADMISSION NO. 40:

2 Trans Union admits that most mortgages are rated according to Fair Isaac's FICO
3 scores.

4
5 Admit _____ Deny _____
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7 ADMISSION NO. 41:

8 Trans Union admits that it failed to implement any automated error checking such
9 as software refusing or flagging obviously incorrect reporting such as a current balance
10 higher than the "High Balance."
11

12 Admit _____ Deny _____
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15 ADMISSION NO. 42:

16 Trans Union admits that it failed to implement any automated error checking such
17 as software refusing or flagging obviously incorrect reporting such as a revolving account
18 discharged through bankruptcy without a "Date Closed".
19

20 Admit _____ Deny _____
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23 ADMISSION NO. 43:

24 Trans Union admits that it profited from the sales of credit reports to consumers.
25

26 Admit _____ Deny _____
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1 ADMISSION NO. 44:

2 Trans Union admits that it profited from the sales of consumer credit reports to
3 creditors who target consumers with bad credit for subprime credit offers.

4
5 Admit _____ Deny _____
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7 ADMISSION NO. 45:

8 Trans Union admits that consumers purchasing their Trans Union credit reports at
9 TrueCredit are subjected to numerous advertisements including credit offers and credit
10 repair.

11
12 Admit _____ Deny _____
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14 ADMISSION NO. 46:

15 Trans Union admits that it owns TrueCredit.

16
17 Admit _____ Deny _____
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19 ADMISSION NO. 47:

20 Trans Union admits that it profited from the advertisements presented to
21 consumers at TrueCredit.

22
23 Admit _____ Deny _____
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25 ADMISSION NO. 48:

26 Trans Union admits that the 4/21/04 Ameriquest inquiry on Baker's Trans Union
27 credit reports was not reported to creditors as mortgage application.

28
Admit _____ Deny _____

1 ADMISSION NO. 49:

2 Trans Union admits that the 4/21/04 Ameriquest credit inquiry on Baker's Trans
3 Union credit reports could not be deduplicated by FICO scoring software because it was
4 not identified as mortgage inquiry.

5
6 Admit _____ Deny _____
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8 ADMISSION NO. 50:

9 Trans Union admits that it blocked Baker from accessing her Trans Union report
10 with the FICO score at myFICO.com.

11
12 Admit _____ Deny _____
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14 ADMISSION NO. 51:

15 Trans Union admits that the Trans Union credit reports provided at TrueCredit do
16 not contain all data reported to creditors.

17
18 Admit _____ Deny _____
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20 ADMISSION NO. 52:

21 Trans Union admits that the tri-merged credit reports (Trans Union, Experian and
22 Equifax) credit reports provided at TrueCredit do not contain all data reported to
23 creditors.
24

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26 Admit _____ Deny _____
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1 ADMISSION NO. 53:

2 Trans Union admits that the credit reports it sells through resellers such as
3 PrivacyGuard, CreditKeeper and all other credit report resellers do not contain all data
4 Trans Union reports to creditors.

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6 Admit _____ Deny _____
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1 **INTERROGATORIES**

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3 **INTERROGATORY NO. 1:**

4 State the name(s), business address(es) and job title(s) or capacity(ies) of the
5 officer(s), employee(s) or agent(s) answering or providing any information used to
6 answer each request for admission and each interrogatory.

7 **RESPONSE:**

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13 **INTERROGATORY NO. 2:**

14 Describe Trans Union’s investigation after receiving Baker’s 2/12/05 notice of the
15 breach of the Dana Capital account and reseller NCO’s subsequent refusal investigate
16 Baker’s complaint.

17 **RESPONSE:**

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22 **INTERROGATORY NO. 3:**

23 Describe all Trans Union efforts to merge Baker’s split credit reports.

24 **RESPONSE:**

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1 INTERROGATORY NO. 4:

2 Explain why Trans Union failed to immediately merge Baker's split credit reports
3 after first learning that Baker's report was split into two reports in 2002.

4 **RESPONSE:**
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10 INTERROGATORY NO. 5:

11 Explain why Trans Union failed to report the correct Date Closed for Baker's
12 client with the Trans Union file # 167XXXXXX.
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14 **RESPONSE:**
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20 INTERROGATORY NO. 6:

21 Explain why Trans Union in late 2007 reverted to an old address for Baker's client
22 with the Trans Union file # 167XXXXXX.
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24 **RESPONSE:**
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1 INTERROGATORY NO. 7

2 Explain why Trans Union failed to correct the “High Balances” for consumers
3 who disputed the obviously incorrect reporting of a “High Balance” lower than the
4 current reported balance.

5 **RESPONSE:**
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11 INTERROGATORY NO. 8

12 Explain why Trans Union blocked Baker from ordering her Trans Union credit
13 report at myFICO.com.

14 **RESPONSE:**
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20 INTERROGATORY NO. 9

21 Explain why Trans Union failed to implement automated error checking by
22 computer software for obviously incorrect data such as a “High Balance” lower than the
23 reported balance.

24 **RESPONSE:**
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1 INTERROGATORY NO. 10

2 Explain how Baker can determine that mortgage and auto applications are
3 properly identified as such by Trans Union so that these credit inquiries are deduplicated
4 by Fair Isaac’s FICO credit scoring software. (According to Fair Isaac, multiple credit
5 checks due to rate shopping for a mortgage or auto loan are “deduplicated” by FICO
6 scores and will not lower the FICO scores.)

7 **RESPONSE:**
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14 INTERROGATORY NO. 11

15 List all exhibits Trans Union proposes to introduce at trial.

16 **RESPONSE:**
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21 INTERROGATORY NO. 12

22 State in detail the facts upon which Trans Union relies for each affirmative
23 defense listed in its Answer.

24 **RESPONSE:**
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1 INTERROGATORY NO. 13

2 If your response to the Requests for Admissions served simultaneously herewith is
3 anything other than an unqualified admission, then please state as to each denial the
4 specific facts forming the basis for such denial and identify each witness and
5 document upon which you will rely to support your denial.

6 **RESPONSE:**
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12 INTERROGATORY NO. 14

13 State how Baker can monitor her complete Trans Union credit reports without
14 being subjected to advertisements or ID theft, as Baker's does not enjoy the luxury of
15 mail delivery at her residence and mail is frequently misdelivered.

16 **RESPONSE:**
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19 INTERROGATORY NO. 15

20 Explain how Baker can submit a telephone dispute of incorrect credit data to a
21 person Trans Union (not voice mail), provide the telephone number and business hours.
22 (Arizona time).

23 **RESPONSE:**
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1 INTERROGATORY NO. 16:

2 Explain Trans Union's procedures to prevent the sale of credit reports to persons
3 without a permissible purpose and/or engaging in illegal activities.

4 **RESPONSE:**

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1 **REQUESTS FOR PRODUCTION OF DOCUMENTS**

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3 REQUEST NO. 1:

4 All documents consulted, identified or requested to be identified in response to Baker's
5 interrogatories and requests for admission to Trans Union.
6

7 REQUEST NO. 2:

8 All documents relating to Baker's allegations and to Trans Union's defenses.
9

10 REQUEST NO. 3:

11 An organizational chart for Trans Union.
12

13 REQUEST NO. 4:

14 A list of all employees engaged in handling Baker's credit reports and disputes, their
15 positions and responsibilities.
16

17 REQUEST NO. 5:

18 All documents relating to the Trans Union affirmative defenses.
19
20

21 REQUEST NO. 6:

22 The Consumer Data Industry Association current Credit Reporting Manual
23

24 REQUEST NO. 7:

25 All data in Baker's Trans Union credit file.
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DATED this 19th day of April, 2008

Christine Baker
Plaintiff Pro Per

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