**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF COLORADO**

Civil Action No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

XOXOXO,

 Plaintiff(s),

v.

XOXOXO,

 Defendant(s).

**PLAINTIFF’S INTERROGATORIES**

Under Rule 33 of the Federal Rules of Civil Procedure, Plaintiff directs these interrogatories to Defendant to be answered fully in writing and under oath within thirty days. These Interrogatories are continuing and require supplemental responses as provided by Rule 26(e) of the Federal Rules of Civil Procedure.

The words “me” and “my” refer to the Plaintiff.

The words and “you” and “yours” refer to the Defendant.

The words “Adverse Action” mean [describe the thing you say in your Complaint that the Defendant improperly did, like harassing, firing, demoting, or not hiring you]

The word “Discrimination” means [insert the illegal conduct you say in your Complaint you experienced like (1) gender discrimination; (2) race discrimination; (3) age discrimination; (4) disability discrimination; (5) religious discrimination; (6) national origin discrimination; (7) sexual orientation discrimination; (8) sexual harassment; (9) hostile work environment; and/or (10) retaliation]

**Interrogatories**:

### Describe all compensation and benefits you provided to me.

### Identify my job titles, specific and primary job duties, and job locations.

### If you contend that any of my positions were exempt from the overtime provisions of the FLSA, identify the exemption you rely on, describe all tasks I performed that support you contention that my position was exempt, identify the person who determined that my position was exempt, state the date the exemption became effective, and identify all documents you relied on in determining that my position was exempt.

### If you contend I was exempt from overtime, please describe the basis for that contention, describe all steps you took to verify the contention, and identify all facts, evidence and documents relating to the belief or contention.

### Describe why you did not willfully violate the Fair Labor Standards Act.

### Describe why you did not willfully violate the Colorado Wage Act and/or the Colorado Minimum Wage Act (and Wage Order).

### Explain how your payroll system was managed during the relevant time. Your description should include: a) Computer software and computer systems; b) identification of the department managers; and c) the manner in which you stored and maintained this information.

### Identify and Describe any contact or communication between you and any governmental agencies (*e.g*., United States Department of Labor; Colorado Department of Labor and Employment; Internal Revenue Service; Colorado Department of Revenue) relating to your employees or employee pay, wages, pay deductions, overtime, minimum wage, working hours, state or federal taxes, unemployment, worker’s compensation or to any actual or purported violation of the Fair Labor Standards Act (“FLSA”), the Colorado Wage Act and/or the Colorado Minimum Wage Act (and Wage Order), state or federal tax laws, or state laws relating to unemployment and/or worker’s compensation.

### For your affirmative defense(s) listed in of your Answer: a) describe and identify all facts and evidence upon which you base the affirmative defense; b) state the names, addresses, telephone numbers and email addresses of all persons with knowledge of those facts or evidence; and c) identify all documents and other tangible things which support or relate to your affirmative defense.

### Describe all efforts you took to preserve all documents and communications related to Plaintiff and Plaintiff’s employment.

### Identify the person(s) most knowledgeable regarding Plaintiff’s employment and the compensation provided by Defendant to Plaintiff to date.

### Identify each person you intend to call as a witness at trial, either in person, through deposition testimony, or through an affidavit and for each person, provide: a) The witness's full name and address; b) the witness's relationship to you; and c) a summary of his or her expected testimony.

1. List each person who helped to prepare answers to these discovery requests, and for each describe how they helped.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

NAME

ADDRESS

PHONE

E-MAIL

*Pro Se*

**CERTIFICATE OF SERVICE**

I certify that on Day, Month, Year, I served this by putting it in United States mail, first class postage prepaid, addressed to:

|  |  |
| --- | --- |
| NAMEADDRESSCITY, STATE, ZIPE-MAIL \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_NAMEADDRESSPHONEE-MAIL*Pro Se*  |  |