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10
11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 BENNION & DEVILLE FINE
14 HOMES, INC., a California
15 corporation, BENNION & DEVILLE
16 FINE HOMES SOCAL, INC., a
17 California corporation, WINDERMERE
18 SERVICES SOUTHERN
19 CALIFORNIA, INC., a California
20 corporation,

21 Plaintiffs,

22 v.

23 WINDERMERE REAL ESTATE
24 SERVICES COMPANY, a Washington
25 corporation; and DOES 1-10

26 Defendant.

27 **AND RELATED COUNTERCLAIMS**
28

Case No. 5:15-CV-01921 R (KKx)

Hon. Douglas F. McCormick

**PLAINTIFFS/COUNTER-
DEFENDANTS' PROPOSED VOIR
DIRE SPECIAL QUESTIONS**

Pretrial Conf.: June 18, 2018

Trial: July 11, 2018

Complaint Filed: September 17, 2015
Counterclaim Filed: October 13, 2015

1 Plaintiffs/Counter-Defendants Bennion & Deville Fine Homes, Inc.,
2 Bennion & Deville Fine Homes SoCal, Inc. and Windermere Services Southern
3 California, Inc. and Counter-Defendants Robert L. Bennion and Joseph R. Deville
4 (all collectively the “B&D Parties”) propose that the Court use the following
5 questions during *voir dire* in this case:

6 1. Have you, or a family member or close friend, ever owned a business?

7 2. Have you, or a family member or close friend, ever owned a franchise
8 business?

9 3. How many of you are familiar with the concept of a franchised
10 business?

11 4. Have you, or a family member or close friend, ever owned a real
12 estate brokerage business?

13 5. Have you, or a family member or close friend, ever worked as a real
14 estate agent or broker?

15 6. Have you ever hired a real estate agent or broker for the sale or
16 purchase of a real property?

17 7. Have you ever held a position as a salesperson?

18 8. Have you heard of Windermere Real Estate Services Company?

19 9. Have you heard of Windermerewatch.com?

20 10. How many of you would work for a company even if it had a negative
21 reputation?

22 11. Have you ever left a job because you weren't impressed with the
23 company?

24 12. Have you ever had to erase something on the internet because you
25 thought it portrayed you in a negative light?

26 13. When shopping, are brand names important to you?

27 14. Have you ever stopped buying a product you otherwise would have
28 bought because you read or heard negative rumors about the product?

1 **15.** How many of you have asked for a refund for a product or service that
2 didn't live up to your expectations? How many of you have done it more than 5
3 times? 10 times? 20 times? 50 times?

4 **16.** Have you ever left a job because of a disagreement with management?

5 **17.** How many of you agree with the statement that large companies can
6 be slow to change?

7 **18.** How many of you agree with the statement that large companies are
8 loyal to workers?

9 **19.** How many of you agree with the statement that reputation is
10 everything in business?

11 **20.** How many of you agree with the statement that employees should
12 start their own companies if they believe they can do a better job?

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14 DATED: June 11, 2018

MULCAHY LLP

15
16 By: /s/ James M. Mulcahy
17 James M. Mulcahy
18 *Attorneys for Plaintiffs/Counter-*
19 *Defendants Bennion & Deville Fine*
20 *Homes, Inc., Bennion & Deville Fine*
21 *Homes SoCal, Inc., Windermere*
22 *Services Southern California, Inc.,*
23 *and Counter-Defendants Robert L.*
24 *Bennion and Joseph R. Deville*
25
26
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