

**IN THE TWELFTH JUDICIAL CIRCUIT  
IN AND FOR MANATEE COUNTY, FLORIDA**

MARY LOU SMITH, an individual,  
and SHARON DENSON, an individual

Plaintiffs,

vs.

CASE NO.: 2008 CA 11315

TRAILER ESTATES PARK AND  
RECREATION DISTRICT,  
an independent special taxing district,  
JANET JONES, an individual,  
JOHN VANDERMOLEN, an individual,  
JOSEPH SALERNO, an individual, and  
MARY LOU MCNULTY, an individual

Defendants.

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**RESPONSE TO DEFENDANT, TRAILER ESTATES PARK AND RECREATION  
DISTRICT'S REQUEST FOR PRODUCTION TO PLAINTIFFS**

COMES NOW, Plaintiffs, MARY LOU SMITH AND SHARON DENSON, by and through their undersigned counsel and hereby files its responses to Defendant's, Trailer Estates Park and Recreation District's, Request for Production served on or about May 8, 2009.

General Objections

(a) Plaintiffs specifically object to each production request to the extent that it calls for information protected from disclosure and discovery by the attorney-client privilege, the attorney work product doctrine, or any other judicially recognized protections or privileges which make such answer or information not subject to discovery under Rule 1.280(b)(1), *Florida Rules of Civil Procedure* (or Rule 26(b)(1) Federal). To the extent that any privileged or otherwise

protected documents are inadvertently disclosed or answered, such disclosure shall not be deemed to constitute a waiver of any such privilege or answer.

(b) Plaintiffs specifically object to each production request to the extent that it is overly broad, vague, ambiguous, unduly burdensome, and/or irrelevant or not reasonably calculated to lead to the discovery of admissible evidence.

### ANSWERS

1. Sharon Denson testified during her deposition on May 6, 2009 that she used a computer prior to Thanksgiving 2008 to communicate via e-mail with the co-plaintiff, Mary Lou Smith. Defendant District requests the production of this computer with its hard drive so that it may be inspected for data or documents within the scope of the District's previous Requests for Production in this matter, and so that copies of such materials may be made. The inspection as aforesaid will occur at the office of Plaintiffs' counsel on June 10, 2009 at 9:00 a.m. unless a different time is mutually agreed to by the parties.

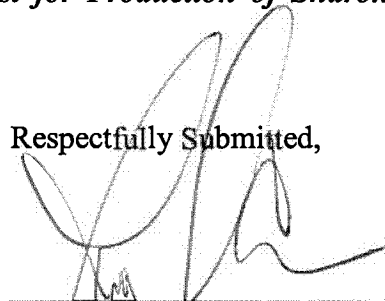
***Response: Objection: This request unduly burdensome, ambiguous, and overly board as it requests access to every document contained on the Sharon Denson's computer, including those documents that are not relevant and could not be reasonably calculated to lead to the discovery of admissible evidence. Communications between the Plaintiffs (sisters) have nothing to do with whether or not the District violated the Sunshine and Public Records Act. Furthermore, this expansive request would allow the dissemination of that is completely irrelevant private/confidential information to be released to any member of the public, and only serve to annoy, embarrass, and unduly burden the Plaintiff.***

***Without waiving said objections, as the Plaintiff Sharon Denson testified to in her deposition, she does not possess the computer that she used prior to Thanksgiving 2008. Furthermore, Ms. Denson contacted her daughter who was last known to possess the computer, and her daughter verified that the computer has been disposed of.***

2. Sharon Denson testified regarding the existence of "lists" during her deposition which would depict the public records requests she has made thus far. Denson volunteered to produce such lists. The District requests production of all such lists.

***Response: Objection: This request asks for attorney-client privilege documents. Without waiving said objections, Sharon Denson previously provided documents responsive to this request, except those attorney-client privilege documents, as part of the documents produced in response to Defendant's Request for Production of Sharon Denson. A privilege log is attached.***

Respectfully Submitted,



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**Counsel for Plaintiffs**

**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished to **Hunter Carroll, Esquire**, Matthews, Eastmoore, Hardy, Crauwels & Garcia, P.A., 1777 Main Street, Suite 500, Sarasota, FL 34236, **James D. Dye, Esquire**, Dye, Deitrich, Petruff, & St. Paul, 1111 Third Ave. West, Suite 300, Bradenton, FL 34205, **Robert E. Turffs, Esquire**, 1444 First Street, Suite B, Sarasota, FL 34236, **Daniel E. Scott, Esquire**, Daniel E. Scott, P.A., 2033 Main Street, Suite 408, Sarasota, FL 34237, **Thomas D. Shults, Esquire**, Kirk Pinkerton, P.A., 50 Central Avenue, Suite 700, Sarasota, FL 34236, by *Facsimile*, this 30<sup>th</sup> day of July, 2009.

  
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JENNIFER R. COWAN, ESQUIRE