

IN THE CIRCUIT COURT OF 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 ESTATE PARKS AND
RECREATION DISTRICT,
an independent special taxing district,
JANET JONES, an individual,
JOHN VANDER MOLEN, an individual,
JOSEPH SALERNO, an individual, and
MARY LOU McNULTY, an individual,

Defendants.

NOTICE OF VIDEO-TAPED DEPOSITION DUCES TECUM

TO: Kevin S. Hennessy, Esquire
Maggie Mooney-Portale, Esquire
Jennifer R. Cowan, Esquire
Lewis, Longman & Walker, P.A.
1001 3rd Avenue West, Suite 670
Bradenton, FL 34236
(941) 708-4024

PLEASE TAKE NOTICE that the undersigned attorney for Defendant, TRAILER ESTATE PARKS AND RECREATION DISTRICT, will take the video-taped deposition of the following named person at the time and place indicated below. The deposition will be video-taped by Premier Video, address is 1511 57th Avenue West, Bradenton, Florida 34207.

DEPONANT: MARY LOU SMITH

PLACE: Lewis, Longman & Walker, P.A.
1001 3rd Avenue West, Suite 670
Bradenton, FL 34236

TIME: 9:30 a.m.

DATE: Thursday, August 27, 2009

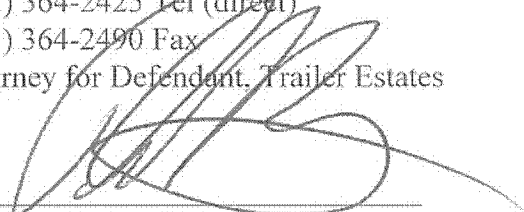
The deponent is required to bring with her at said time and place any and all documents listed on Exhibit "A" attached hereto.

The deposition is to be taken upon oral examination for the purpose of discovery, for use at trial, or both, and for such other uses and purposes as are permitted under applicable and governing rules, before a court reporter, Notary Public of the office of Vincent M. Lucente & Associates, Inc., or other officer duly authorized by law to take depositions.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent by U.S. Mail to the above-named addressees, and to Daniel E. Scott, Esquire, Daniel E. Scott, P.A., 2033 Main Street, Suite 408, Sarasota, Florida 34237; Robert E. Turffs, P.A. 1444 First Street, Suite B, Sarasota, Florida 34236; James D. Dye, Esquire, Dye, Deitrick, Petruff & St. Paul, P.L., 1111 3rd Avenue W., Bradenton, FL 34205-7834; and Hunter W. Carroll, Esquire, Matthews, Eastmoore, Hardy, Crauwels & Garcia, P.A., 1777 Main Street, Suite 500, Sarasota, FL 34236, on this ~~6~~ 7 day of August, 2009.

KIRK ■ PINKERTON, P.A.
50 Central Avenue, Suite 700
Sarasota, Florida 34236
(941) 364-2425 Tel (direct)
(941) 364-2490 Fax
Attorney for Defendant, Trailer Estates

By: 
Thomas D. Shults, Esquire
Fla. Bar No. 363219
Zachary L. Ross, Esquire
Fla. Bar No. 0028351

jmh

cc: via facsimile to Vincent M. Lucente & Associates, Inc. [941-748-3289]

EXHIBIT "A"

1. Any document reflecting a communication occurring at any time between any of the parties to this action.
2. Any document reflecting the occurrence of any Sunshine Law violation alleged in your Amended Complaint.
3. Any document reflecting the occurrence of any public records law violation alleged in your Amended Complaint.
4. All documents reflecting a request made by any party to this action for public records from the Trailer Estates Park and Recreation District.
5. Any document which discusses, describes, or makes mention of any of the alleged Sunshine Law violations described in the Amended Complaint. This request includes, but is not limited to, all diaries, letters to parties or non-parties, memorandums or notes, whether or not disseminated to any other person.
6. Any document which discusses, describes, or makes mention of any of the alleged public records law violations described in the Amended Complaint. This request includes, but is not limited to, all diaries, letters to parties or non-parties, memorandums or notes, whether or not disseminated to any other person.
7. Any audio tape or recording of the voice of any defendant in this action.
8. All photographs or videotapes of the exterior or interior of the Trailer Estates Park and Recreation District office.
9. All documents reflecting the incurrence of any cost or fee for which you are seeking reimbursement in this action.
10. Any document reflecting a communication between any of the parties in this action and Mike Neal or Tom Featheringill.
11. Any audio tape or recording of the voice of Mike Neal or Tom Featheringill.
12. If you have been a party to any lawsuit or criminal proceeding at any time, all papers, depositions, orders and judgments relating to or filed in such proceedings.

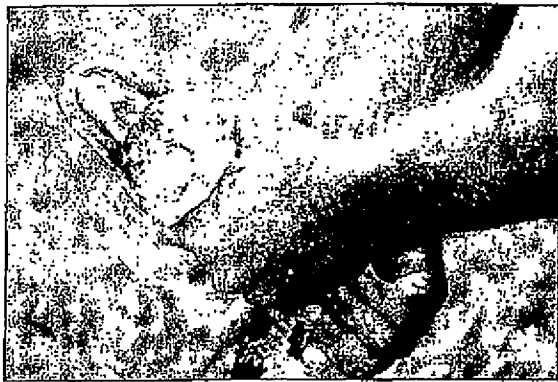
13. If you were ever a candidate for any office with the Trailer Estates Park and Recreation District, any document reflecting a communication between you and anyone and relating to your candidacy. This request includes, but is not limited to, campaign materials disseminated to others, documents reflecting campaign strategies or goals, documents reflecting the outcome of the election concerning your candidacy, and documents reflecting an opinion or assessment concerning the outcome of that election.

14. Any document reflecting a communication occurring at any time between anyone and describing or mentioning your candidacy for office at the Trailer Estates Park and Recreation District.

15. A copy of the e-mail from Mary Lou Smith referenced in the July 26, 2009 article published in the Bradenton Herald attached hereto as Exhibit "A".

16. Copy of all e-mails which forward or copy the above-referenced e-mail to any person or party.

17. All documents reflecting a communication between any persons or entities (other than between attorney/client or between the Plaintiffs and mediators or between mediation participants or parties), which mentions or discusses the mediation in this matter or any communication occurring during that mediation or any purported settlement, preliminary or otherwise, resulting from that mediation. This request includes, but is not limited to, letters, e-mails, internet posts, blog posts, Twitter's, instant messages and the like.



TIFFANY TOMPKINS-CONDIE/ttompkins@bradenton.com

"I think this one had been there for years, living off Muscovy ducks in a nearby pond."

Justin Matthews, Matthews Wildlife Rescue

Trailer Estates suit set for trial

By CARL MARIO NUDI
cnudi@bradenton.com

MANATEE — Trailer Estates property owners who filed a lawsuit in November will finally get their day in court.

Judge Janette Dunnigan has set a trial date of Sept. 8 for a case involving two Trailer Estates residents who claim the mobile home park's board of trustees is violating Florida's Government in the Sunshine laws.

Mary Lou Smith and Sharon Denson say they filed the lawsuit after repeatedly requesting documents from the governmental agency concerning how rates are set for the marina and parking spaces.

"It is regrettable that we have had to reach this point," Smith said in an e-mail response sent to the Bradenton Herald. "Mrs. Denson and I reached a mediated settlement with the chairman of the Board of Trustees (who had been elected by the board to be the park spokesperson at the mediation) a few weeks ago. The Board of Trustees refused to accept this mediated agreement, forcing the matter into the courts and costing even more taxpayer dollars."

The trustees of the Trailer Estates Park and Recreation District contend they fol-



TIFFANY TOMPKINS-CONDIE/ttompkins@bradenton.com

rs from Southern Manatee Fire Rescue help Justin Matthews of Matthews Wildlife Rescue deposit a captured Burmese python, which he pulled from a drainage pipe in the area of 51st Avenue and 33rd Street East. It took the rescue expert about an hour and a half to pull the reptile out of the drain.

Wildlife expert battles 14-foot python inside concrete pipe

TIFFANY TOMPKINS-CONDIE
and GARY TAYLOR
Herald Staff

MANATEE — His plan was to pull the python out of a concrete pipe that was 2-by-2. But then he had to crawl 20 feet or so into the two-foot-diameter pipe to reach the snake. And when he made it back, the snake turned back on him

Matthews would handle it himself.

Now Matthews the younger, four firefighters and a growing group of spectators stood by and listened — more than an hour into the battle Saturday afternoon and within sight of a Sweetbay Supermarket and a day care center.

When the python's hissing maw and spitting tongue reached four

feet, Matthews called for help. Matthews Wildlife Rescue, an animal care and educational company, the cowboy-hatted Matthews envisioned a specimen with which to teach people about nature and not to keep pythons as pets.

"I think this one had been there for years, living off Muscovy ducks in a nearby pond," Matthews said.

As a wildlife expert and instructor, Matthews has permits to take py-

TRAILER TO 2B

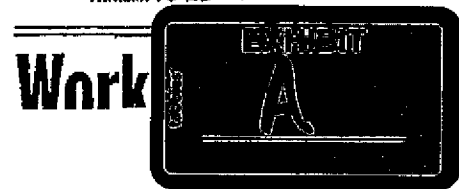




PHOTO PROVIDED
Bank robber shown
with them when

TRAILER FROM 1B

lowed the law.
The board controls an annual budget of about \$1 million.
The district became a governmental body, subject to the state's Sunshine and Open Records laws, when it was established by the Florida Legislature in 1969 as a special taxing district.
Court records show that after six months of court

hearings, the parties tried to mediate the dispute June 9, but mediator Gary Larsen reported to the court July 15 "the mediation resulted in an impasse."
The Trailer Estates board held a closed-door meeting, sometimes called a "shade meeting," July 13 with attorney Mark Barnebey to discuss the litigation, according to minutes posted on the mobile home park's Web site.
After meeting for more

than two hours, the board convened a public hearing to consider a mediated settlement, but Barnebey reported that there was no settlement.
Two trustees who were named in the suit as individuals, Janet Jones and Joseph Salerno, could not be reached for comment.
John Vandermolten, another board member named in the suit, said he had no comment.
Mary Lou McNulty, a for-

mer board member, also was named in the lawsuit and referred all questions to her attorney, Jim Dye.
"It's an unfortunate situation," Dye said.
"It would be great if this could be resolved without going to trial."
He said going to trial was a waste of the district's funds, but was hopeful a resolution could be achieved without a trial.
"But if not, we're prepared to go to trial," Dye said.

ers is totally innocent of this crime," he said.
Vickers remained in jail on a \$150,000 bond Saturday night.
Attorneys are expected to respond to the family in court this before Judge Pensky.

criminal justice can be reached 119.

Almeda is the pres-Pier Regulars, an group of pier fans. The city should con- ing the pier to pre- m damage.
The pier was a little t might help the," he said. "When comes, the water so high. The waves at the pier."
Visitors this week r felt safe on the hat an inspection lp.
"It's well worn," said nedy, who is visit- Ocala for a week. o much traffic, I'd they have to fix it falls apart."

Jean Compton-Jones

Jean Compton-Jones 81, died July 23, 2009.
Survived by husband: John; Daughters: Rebecca Morrison and Martha Compton; Son: David Compton; Brother: Robert Dennis and six grandchildren.
Viewing will be Monday at 9-10am with services to follow at Bradenton Funeral Home 5827 14th Street West Bradenton. Burial will be at Skyway Memorial Gardens.

Donna Marie (Dee) Lipinski

Donna Marie (Dee) Lipinski, 84, Homemaker, passed away peacefully on July 23, 2009 in Bradenton of pneumonia.
Dee was born in Grafton, North Dakota to Harry and Ethel Wilson. She met her husband, Stanley (Stan) W. Lipinski, while in grade school; they married on July 11, 1948 and moved to Lakeland in



William Clemmer "Bill" Rhyne

William Clemmer "Bill" Rhyne, 83, of Linville, NC, formerly of Bradenton, passed away on Saturday, July 11, at Cannon Memorial Hospital, Linville, NC, after a brief illness.
He is survived by his wife of 63 years, Marian; daughters, Linda Rhyne of Charlotte, NC; Candace Blackley and husband, Ron, of Apex, NC; son, Steve Rhyne and wife, Amy, of Asheville, NC; six grandchildren, Heather and Patrick Blackley, and Joshua, Emily, Julia and Abbey Rhyne.



Bill was born on September 17, 1925, in Gastonia, NC, the son of the late Robert Love Rhyne and Annie Mae Clemmer. He was a Navy veteran and served for 2 years in the Pacific. After serving in the military, Bill graduated from NC State University in 1951 with a BS in Rural Sociology.
Bill lived in Bradenton from 1958 to 1964 where

Pamela J. Cordle Allen

Pamela J. Cordle Allen, 58 formerly of Bradenton, passed away after a long illness July 8th, 2009 in Port Charlotte, FL.
She was preceded in death by her husband Mack "Pistol" Allen and nephew Cecil "Burt" Haynes.
She is survived by her sisters Cynthia Coffman, Constance Cordle and brother Michael B. Cordle.
Graveside services will be at 10:00AM Tuesday, August 4th. Burial will be at Memorial Park Funeral Home & Cemetery in Memphis, TN.

Judy Lee Gooden

Bungalow Antique Shop, Owner, Bradenton, age 61, went to be with the Lord on July 11, 2009.
She died peacefully in her home surrounded by family and friends after a long, hard and courageous battle with Mesothelioma.
Judy was born on December 11, 1947. She lived most of her life in Florida and in Bradenton since 1980. Judy's special gift was taking another persons' junk and turning it into a priceless treasure. She was an active member of the Bayside Community Church.
She is survived by her husband, Jackie Gooden and their daughters Jamie and Jena Gooden both of Bradenton.
A celebration of life service will be held at the Manatee Village Historical Park church on Saturday, August 1, 2009, at 9:30am.
In lieu of flowers, donations can be made to Bayside Community



Betty Jean Sowders

Betty Jean Sowders, 79, of Owensboro, Kentucky died July 23, 2009.
Survived by daughter, Sheila Lindergren of Bradenton, FL; son, Thomas Lee (Kim) Sowders of Owensboro; six grandchildren; eleven great grandchildren; a brother and two sisters.
Services, 11:00 a.m., July 25 at James H. Davis Fu-

OBITUARIES