

**IN 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.: 08 CA 11315  
Division B

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'

---

**MARY LOU SMITH'S RESPONSE TO DEFENDANT,  
TRAILER ESTATES PARK AND RECREATION DISTRICT'S  
REQUEST FOR ADMISSIONS**

Plaintiff, MARY LOU SMITH, by and through her undersigned Counsel and pursuant to Rule 1.370, *Florida Rules of Civil Procedure*, hereby responds to Defendant, TRAILER ESTATES PARK AND RECREATION DISTRICT'S Request for Admissions dated August 7, 2009, and as follows:

1. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on

August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

2. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

3. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

4. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park

and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

5. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

6. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

7. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial

requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

8. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

9. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

10. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation

District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

11. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

12. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

13. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this

Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

14. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

15. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

16. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

17. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

18. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on

August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

19. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

20. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

21. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park

and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

22. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

23. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

24. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial

requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

25. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

26. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

27. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation

District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

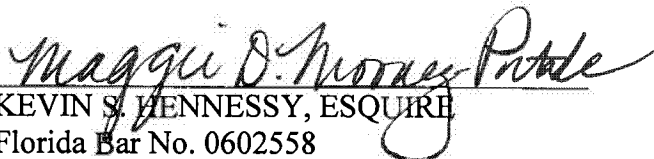
28. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

29. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

30. Without waiving all other substantive objections, the Plaintiff, Mary Lou Smith, objects to this Request for Admission pursuant to Rule 1.370(a), Fla. R. Civ. Pro., because this

Request for Admission was not propounded by the Defendant, Trailer Estates Park and Recreation District, in a timely manner. Paragraph 4 of the Court's Order Scheduling Case for Non-Jury Trial requires that all discovery be completed by August 29, 2009. The Defendant, Trailer Estates Park and Recreation District, served this Request for Admission on the Plaintiff by hand delivery on August 7, 2009, and the Plaintiff's response to this discovery is due beyond the discovery cut off deadline. The Plaintiff is entitled to the full 30 days to prepare her response to discovery.

Respectfully Submitted,



KEVIN S. HENNESSY, ESQUIRE  
Florida Bar No. 0602558

MAGGIE D. MOONEY-PORTALE, ESQUIRE  
Florida Bar No. 0555924

JENNIFER R. COWAN, ESQUIRE  
Florida Bar No. 0038081

Lewis, Longman & Walker, P.A.  
1001 3<sup>rd</sup> Avenue West, Suite 670  
Bradenton, Florida 34205  
Telephone (941) 708-4040

**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 28<sup>th</sup> day of August, 2009.

  
MAGGIE D. MOONEY-PORTALE, ESQUIRE