

**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, JANET JONES'**  
**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, JANET JONES' Request for Admissions and states 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, Janet Jones, 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, Janet Jones, served this Request for Admission on the Plaintiff by mail on August 11, 2009 (the Requests were received on August 12, 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, Janet Jones, 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, Janet Jones, served this Request for Admission on the Plaintiff by mail on August 11, 2009 (the Requests were received on August 12, 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, Janet Jones, 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, Janet Jones, served this Request for Admission on the Plaintiff by mail on August 11, 2009 (the Requests were received on August 12, 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, Janet Jones, 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, Janet Jones, served this Request for Admission on the Plaintiff by mail on August 11, 2009 (the Requests were received on August 12, 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, Janet Jones, 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, Janet Jones, served this Request for Admission on the Plaintiff by mail on August 11, 2009 (the Requests were received on August 12, 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, Janet Jones, 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, Janet Jones, served this Request for Admission on the Plaintiff by mail on August 11, 2009 (the Requests were received on August 12, 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, Janet Jones, 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, Janet Jones, served this Request for Admission on

the Plaintiff by mail on August 11, 2009 (the Requests were received on August 12, 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, Janet Jones, 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, Janet Jones, served this Request for Admission on the Plaintiff by mail on August 11, 2009 (the Requests were received on August 12, 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, Janet Jones, 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, Janet Jones, served this Request for Admission on the Plaintiff by mail on August 11, 2009 (the Requests were received on August 12, 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, Janet Jones, 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, Janet Jones, served this Request for Admission on the Plaintiff by mail on August 11, 2009 (the Requests were received on August 12, 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, Janet Jones, 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, Janet Jones, served this Request for Admission on the Plaintiff by mail on August 11, 2009 (the Requests were received on August 12, 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, Janet Jones, 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, Janet Jones, served this Request for Admission on the Plaintiff by mail on August 11, 2009 (the Requests were received on August 12, 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, Janet Jones, 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, Janet Jones, served this Request for Admission on the Plaintiff by mail on August 11, 2009 (the Requests were received on August 12, 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, Janet Jones, 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, Janet Jones, served this Request for Admission on the Plaintiff by mail on August 11, 2009 (the Requests were received on August 12, 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, Janet Jones, 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, Janet Jones, served this Request for Admission on the Plaintiff by mail on August 11, 2009 (the Requests were received on August 12, 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, Janet Jones, 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, Janet Jones, served this Request for Admission on the Plaintiff by mail on August 11, 2009 (the Requests were received on August 12, 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