

**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.

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**PLAINTIFFS', MARY LOU SMITH'S AND SHARON DENSON'S RESPONSE TO  
DEFENDANT, JANET JONES' REQUEST FOR ADMISSIONS**

Plaintiff, MARY LOU SMITH and SHARON DENSON, by and through their undersigned Counsel and pursuant to Rule 1.370, *Florida Rules of Civil Procedure*, hereby responds to Defendant JANET JONES' Request for Admissions dated August 11, 2009, as follows:

1. Objection, unclear, fails to define department heads and day to day operations and fails to specify a timeframe. Subject to and without waiving said objections, denied that the Board of Trustees serves as Department Heads. Admitted that some individual trustees occasionally are involved in the day to day operation of Trailer Estates.

2. Objection, unclear, fails to define administrative and operational matters and day to day operations, and fails to specify a timeframe. Subject to and without waiving said objections, admitted that some individual Trustees occasionally are involved in the day to day

operations that are administrative and operational matters for which a vote by the Board of Trustees is not required or contemplated. All other allegations are denied.

3. Admitted, that the attached minutes of the Executive Board meeting and Board of Trustees meetings make reference to filling a vacancy on the Board of Trustees. All other allegations are denied.

4. Objection, calls for a legal conclusion. Subject to and without waiving said objection, admitted that there was a meeting on June 19, 2006, of the Board of Trustees and to our knowledge it was open to the public. All other allegations are denied.

5. Objection, calls for a legal conclusion. Subject to and without waiving said objection, denied.

6. Admitted, that the attached minutes of the Executive Board meeting and Board of Trustees meetings make reference to the fence at 6626 New Jersey. All other allegations are denied.

7. Objection, calls for a legal conclusion. Subject to and without waiving said objection, admitted that there was a meeting on August 7, 2006, of the Board of Trustees and to our knowledge it was open to the public. All other allegations are denied.

8. Objection, calls for a legal conclusion. Subject to and without waiving said objection, denied.

9. Admitted, that the attached minutes of the Executive Board meeting and Board of Trustees meetings make reference to filling a vacancy on the Board of Trustees. All other allegations are denied.

10. Objection, calls for a legal conclusion. Subject to and without waiving said objection, admitted that there was a meeting on September 5, 2006, of the Board of Trustees and to our knowledge it was open to the public. All other allegations are denied.

11. Objection, calls for a legal conclusion. Subject to and without waiving said objection, denied.

12. Admitted.

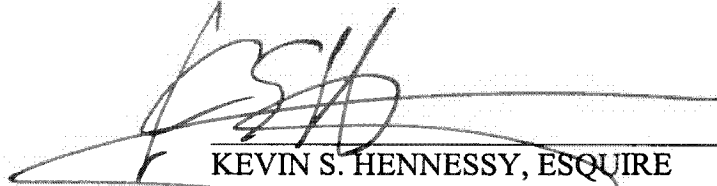
13. Objection, calls for a legal conclusion. Subject to and without waiving said objection, admitted that there was a meeting on April 21, 2008, of the Board of Trustees and to our knowledge it was open to the public. All other allegations are denied.

14. Objection, calls for a legal conclusion. Subject to and without waiving said objection, denied.

15. Objection, fails to define distributing and it is unclear, confusing, muddled, compound and not specific enough for the Plaintiffs to respond to through an admission or denial. Subject to and without waiving said objections, Plaintiffs admit that the physical mailing, within the timeline prescribed by the Charter, of the annual financial statement and itemized budget to all residents of Trailer Estates Park and Recreation District is an administrative matter for which a vote or formal action is neither required nor contemplated. All other allegations are denied.

16. Objection, fails to define distributing and it is unclear, confusing, muddled, and not specific enough for the Plaintiffs to respond to through an admission or denial. Subject to and without waiving objection, denied.

Respectfully Submitted,



KEVIN S. HENNESSY, ESQUIRE

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**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 *U.S. First Class Mail*, this 15<sup>th</sup> day of October, 2009.



KEVIN S. HENNESSY, ESQUIRE