

**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.

**PLAINTIFF SHARON DENSON'S RESPONSE TO DEFENDANT, TRAILER ESTATES
PARK AND RECREATION DISTRICT'S REQUEST FOR ADMISSIONS**

Plaintiff, SHARON DENSON, 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, 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. Objection, this request is unclear, confusing, muddled, compound and not specific enough for the Plaintiff to respond to through an admission or denial. Subject to and without waiving objection, denied; Plaintiff is personally unaware of the content of any such conversation.

4. Objection, this request is unclear, confusing, muddled, compound and not specific enough for the Plaintiff to respond to through an admission or denial. Subject to and without waiving objection, denied; Plaintiff is personally unaware of the result of any such conversation.

5. Objection, this request is unclear, confusing, muddled, compound and not specific enough for the Plaintiff to respond to through an admission or denial. Subject to and without waiving objection, denied.

6. Objection, this request is unclear, confusing, muddled, compound and not specific enough for the Plaintiff to respond to through an admission or denial. Subject to and without waiving objection, denied. Plaintiff knows that the financial statement and budget were mailed to the residents after the conversation was held.

7. Objection, this request is unclear, confusing, muddled, compound and not specific enough for the Plaintiff to respond to through an admission or denial. Subject to and without waiving objection, denied.

8. Objection, this request is unclear, confusing, muddled, compound and not specific enough for the Plaintiff to respond to through an admission or denial. Subject to and without waiving objection, admitted that Plaintiff is aware of what resulted from the private conversation of Martha Brauer and Fred Hoch on January 27, 2009.

9. Objection, this request is unclear, confusing, muddled, compound and not specific enough for the Plaintiff to respond to through an admission or denial. Subject to and without waiving objection, denied.

10. Objection, this request is unclear, confusing, muddled, compound and not specific enough for the Plaintiff to respond to through an admission or denial. Subject to and without waiving objection, admitted. Plaintiff is unaware of what resulted from the private conversation between John Vandermolen and Fred Hoch on January 27, 2009.

11. Objection, this request is unclear, confusing, muddled, compound and not specific enough for the Plaintiff to respond to through an admission or denial. Subject to and without waiving objection, denied.

12. Objection, this request is unclear, confusing, muddled, compound and not specific enough for the Plaintiff to respond to through an admission or denial. Subject to and without waiving objection, admitted. Plaintiff is unaware of what resulted from the private conversation between John Vandermolen and Joseph Salerno on January 27, 2009.

13. Objection, this request is unclear, confusing, muddled, compound and not specific enough for the Plaintiff to respond to through an admission or denial. Subject to and without waiving objection, denied.

14. 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.

15. 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 Plaintiff's knowledge it was open to the public. All other allegations are denied.

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

17. 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.

18. 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 my knowledge it was open to the public. All other allegations are denied.

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

20. 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.

21. 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 Plaintiff's knowledge it was open to the public. All other allegations are denied.

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

23. Admitted.

24. 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 Plaintiff's knowledge it was open to the public. All other allegations are denied.

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

26. Admitted, that the attached minutes of the Board of Trustees Workshop makes reference to the resignation of John Vandermolen from the Auditor Selection Committee. All other allegations are denied.

27. Objection, calls for a legal conclusion. Subject to and without waiving said objection, admitted that there was a meeting on March 9, 2008, of the Board of Trustees and to Plaintiff's knowledge it was open to the public. All other allegations are denied.

28. Objection, calls for legal conclusion. Without waiving objection, denied.

29. Denied.

30. Denied.

Respectfully Submitted,



KEVYN S. HENNESSY, ESQUIRE

Florida Bar No. 0602558

MAGGIE D. MOONEY-PORTALE, ESQUIRE

Florida Bar No. 0555924

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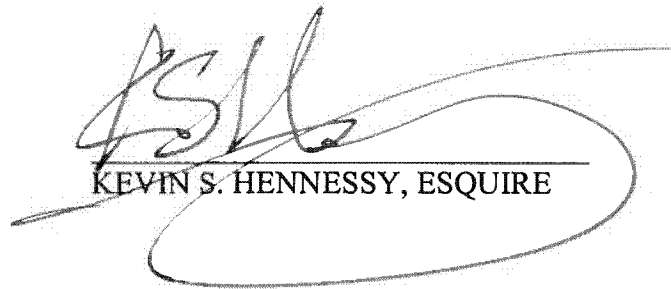
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CERTIFICATE OF SERVICE

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 ^{15th} day of October, 2009.



KEVIN S. HENNESSY, ESQUIRE