

AFFIDAVIT OF SERVICE

State of Florida

County of Manatee

Circuit Court

Case Number: 08 CA 11315 Court Date: 12/11/2009 2:00 pm

Plaintiff:

MARY LOU SMITH an individual, and **SHARON DENSON**, an individual,

vs.

Defendant:

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,

For:

Kevin S. Hennessy, Esq.
Lewis, Longman & Walker, P.A.
1001 3rd Avenue West
Suite 670
Bradenton, FL 34205


Received by ASAP Process Services, LLC. on the 13th day of November, 2009 at 3:13 pm to be served on **Margo Cushman, 2004 Florida Blvd., Bradenton, FL 34207.**

I, Mary L. Sanger, being duly sworn, depose and say that on the **14th day of November, 2009 at 10:09 am, I:**

INDIVIDUALLY served by delivering a true copy of the **Subpoena for Deposition (Duces Tecum); Exhibit "A"; Notice of Taking Deposition Duces Tecum** with the date and hour of service endorsed thereon by me, to: **Margo Cushman**, and informed said person of the contents therein, in compliance with state statutes.

I ACKNOWLEDGE that I have no interest in the above action, am of legal age, and have proper authority in the jurisdiction in which this service was made. "Under penalty of perjury, I declare that I have read the foregoing and that the facts stated therein are true."

Signed On 11/16/09

NOTARY PUBLIC STATE OF FLORIDA
 Ann Nicolle Ritzenthaler
Commission # DD519541
Expires: FEB. 16, 2010
Bonded Thru Atlantic Bonding Co., Inc.

Subscribed and Sworn to before me on the 16th day of November, 2009 by the affiant who is personally known to me.

NOTARY PUBLIC



Mary L. Sanger
Certified Process Server #301

ASAP Process Services, LLC.
Post Office Box 14653
Bradenton, FL 34280
(941) 807-4830

Our Job Serial Number: 2009004293

IN THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR MANATEE COUNTY, FLORIDA
CIVIL DIVISION

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.

11/14/09
10:09a
ML#301

SUBPOENA FOR DEPOSITION
(DUCES TECUM)

TO: MARGO CUSHMAN
2004 FLORIDA BLVD.
BRADENTON FL 34207

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at Kirk Pinkerton, P.A. 1301 Manatee Avenue West, Bradenton, Fourth Floor, Bradenton, Florida 34205 on **December 11, 2009 at 2:00 p.m.**, for the taking of your deposition in this action and to have with you at that time and place all documents listed on the attached "Exhibit A".

EXHIBIT "A"

Copies of any and all documentation in your possession that has not previously been produced to counsel for the Plaintiffs including but not limited to the following:

1. Any and all emails that you sent to or received from current or past Trailer Estates Park and Recreation District ("District") Board of Trustee member(s) and member(s)-elect relating to the District from January 1, 2005, to the present.
2. Any and all emails that you sent to or received from Martha Brauer related to the District from January 1, 2005, to the present.
3. Any and all emails that you sent to or received from Janet Jones related to the District from January 1, 2005, to the present.
4. Any and all emails that you sent to or received from John Vandermolen related to the District from January 1, 2005, to the present.
5. Any and all emails that you sent to or received from Joe Salerno related to the District from January 1, 2005, to the present.
6. Any and all emails that you sent to or received from Mary Lou McNulty related to the District from January 1, 2005, to the present.
7. Any and all emails that you sent to or received from TJ Miller related to the District from January 1, 2005, to the present.
8. Any and all emails that you sent to or received from current or past District Board of Trustee member(s) and member(s)-elect that carbon copy another District Board of Trustee member(s) relating to the District from January 1, 2005, to the present.
9. Any and all blogs, chat rooms, chalkboards, bulletin boards, instant messages, groups, or other electronic mediums that you participated in and discussed any District issue(s) from January 1, 2005, to the present.
10. Any and all documents (including but not limited to all notes, memos, or emails) whether in electronic or written format, relating to the District's Executive Committee, Administrative Committee, and/or Executive Board, from January 1, 2005, to the present.
11. Any and all correspondence, notes, letters, memos, or emails between you and any previous or existing member of the Board of Trustees for the District, whether in electronic or written format, from January 1, 2005, to the present.

12. Any and all telephone, including cellular phone, records and invoices or bills of from January 1, 2005, to the present.
13. Any and all documents reflecting communications between any members of the Board of Trustees for the District from January 1, 2005, to the present.
14. Any and all calendars from January 1, 2005, to the present, whether in electronic or written format, depicting any meetings between you and persons who have served or are serving on the District's Board of Trustees.
15. Any and all journals, notes, diaries, or other documentation that describes or discusses the District.
16. Any and all articles, publications, or information relating to the Sunshine Laws, Public Records Laws, or Freedom of Information Act.
17. Any and all notes, memos, letters, or documents discussing or related to the District's database, District's budget, litigations costs, and Let's Talk Club.
18. Any and all information or documentation regarding your decision to run for office, the election and/or your appointment to the District's Board of Trustees.
19. Any and all notes left for you or given to you from any other Trustee.
20. Any and all notes, letters, memos, or documents related to any District Committees.
21. Any and all documents reflecting any communication with the Plaintiffs.
22. Any and all letters, notes, emails, or documents reflecting communications with Kirk Pinkerton or Mark Barnebey.
23. Any and all documents related to the District's newspaper, newsletter, or the Tribune.
24. Any and all documents related to the District's television channel or the video club.
25. Any and all documents related to the District's website.
26. Any and all documents related to legal matters and request for a matter to go to the District's attorney.
27. Any and all documents related to the McNeil case.
28. Any and all documents related to District policies.
29. Any and all documents related to a Manatee County Easement Encroachment Agreement.

30. Any and all documents related to "pre-meetings" or any meeting immediately preceding the District's Board meeting.
31. Any and all documents related to the appointment of Mike Neal.
32. Any and all documents related to the appointment of Tom Featheringill.
33. Any all documents related to the budget that was considered by the District in the spring of 2007.
34. Any and all documents related to the District's kitchen.
35. Any and all documents related to Cook's Night Out.
36. Any and all documents related to Coffee Break.
37. Any and all documents related to the District's public records policy.
38. Any and all documents related to a list of District Trustees' and Employees' phone numbers.
39. Any and all documents related to the District's Seasonal Recreational Committee or entertainment committee.
40. Any and all documents related to the District's hiring of legal counsel.
41. Any and all documents related to the disaster committee.
42. Any and all documents related to the disaster plan.
43. Any and all documents related to the Video Computer Club.
44. Any and all documents related to District Board Meeting Minutes.
45. Any and all documents related to the citation for purported violations of the Deed Restrictions that was issued to the property located at 6603 Arizona.
46. Any and all documents related to the 2006 Budget Hearing Video.
47. Any and all documents related to the June 19, 2006, Board Meeting.
48. Any and all documents related to Mr. Meierjurgan's public records request in October 2008 for documentation relating to an emotional support pet.
49. Any and all documents related to Complaint 216, as discussed in the memo from Janet Jones dated 12/12/2007 and attached hereto.

50. Any and all documents related to the Continuing Recreation Committee or its volunteers.
51. Any and all documents, letters, emails, and notes that pertain to any budget process from 2005 to present.
52. Any and all documents relating to the "Trailer Estates Park and Recreation District Budget Questionnaire –December 2008."
53. Any and all documents, legal memoranda, letters or legal opinions related to Bingo.

TRAILER ESTATES PARK & RECREATION DISTRICT

MEMO

TO: – Trustees

FROM: Janet Jones - Chairman 

DATE: December 12, 2007

SUBJECT: Complaint #216

No board action has been taken to approve 3-5 hours of attorney fees for something our Charter and Deed Restrictions cover governing our Park.

Refer to memo of “McNeil Case” in August on ruling from “Judge” concerning following enforcing of Deed Restrictions.