

**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.

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**AMENDED NOTICE OF TAKING DEPOSITION DUCES TECUM**  
**(Rescheduled at the Request of Trailer Estates)**

PLEASE TAKE NOTICE that counsel for the Plaintiffs, MARY LOU SMITH and SHARON DENSON, will take the following deposition:

**NAME:** Margo Cushman  
**DATE:** December 17, 2009  
**TIME:** 8:30 AM  
**PLACE:** Kirk Pinkerton  
First Bank Building  
1301 6<sup>th</sup> Ave West  
Bradenton FL 34205

upon oral examination before a Court Reporter authorized by law in the State of Florida to take depositions. This oral examination will continue from day to day until completed. The deposition is being taken for the purpose of discovery, for use at trial, or for such other purposes as are permitted under the Florida Rules of Civil Procedure.

**The documents listed on Exhibit "A" attached hereto shall be brought to the deposition.**

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

c: US Legal Support (via email)

**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. Mail and Facsimile*, this 11<sup>th</sup> day of December, 2009.

  
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KEVIN S. HENNESSY, ESQ.

**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.