

**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.

SUBPOENA FOR DEPOSITION
(DUCES TECUM)

TO: R. MARK YAWBERG
c/o TRAILER ESTATES PARK AND RECREATION DISTRICT
1903 69TH AVENUE WEST
BRADENTON, FL 34207

Alternate address: 6619 RENSSALAER DR, BRADENTON, FL 34207

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at Kirk Pinkerton, P.A., 1301 6th Avenue West, Suite 401, Bradenton, Florida 34205 on **Wednesday, January 6, 2010 at 1:00 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".

If you fail to appear, you may be in contempt of court.

YOU ARE SUBPOENAED to appear by the following attorneys, and unless excused from this subpoena by these attorneys or the court, you shall respond to this subpoena as directed.

Dated this 29th day of **December, 2009**.



KEVIN S. HENNESSY, ESQUIRE

Florida Bar No. 0602558

MAGGIE D. MOONEY-PORTALE, ESQUIRE

Florida Bar No. 0555924

JENNIFER R. COWAN

Florida Bar No. 0038081

Lewis, Longman & Walker, P.A.

1001 3rd Avenue West, Suite 670

Bradenton, Florida 34205

Telephone (941) 708-4040

cc: US Legal Support (via email)

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 correspondence, including memoranda, faxes, notes and 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 correspondence, including memoranda, faxes, notes and emails that T.J. Miller sent to you related to the District from January 1, 2005, to the present, and your responses to that correspondence.
3. Any and all correspondence, including memoranda, faxes, notes and emails that Martha Brauer sent to you related to the District from January 1, 2005, to the present, and your responses to that correspondence.
4. Any and all correspondence, including memoranda, faxes, notes and emails that John Vander Molen sent to you related to the District from January 1, 2005, to the present and your responses to that correspondence.
5. Any and all correspondence, including memoranda, faxes, notes and emails that Wayne Hamblen sent to you related to the District from January 1, 2005, to the present and your responses to that correspondence.
6. Any and all documents reflecting communications between any members of the Board of Trustees for the District from January 1, 2005, to the present.
7. 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.
8. Any and all journals, notes, diaries, or other documentation that describes or discusses matters concerning the District.
9. The District's maintenance logs from January 1, 2005 to the present.
10. Any policies and/or procedures regarding how to keep the maintenance logs in place from January 1, 2005 to the present.
11. Any and all notes, letters, memos, or documents related to any District Committees.
12. Any and all documents related to the District's sound system.

13. Any and all documents related to the District's document management system.
14. Any and all District policies related to the records that are kept in storage, policies and/or procedures for supplementing, maintain or retrieving those documents.
15. Any written policies or other documents concerning or evidencing the disposal, sale or gifting of any District property.