

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

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

Plaintiffs,

v.

CASE NO. 08 CA 11315

TRAILER ESTATES PARK AND
RECREATION DISTRICT,
an independent special taxing district,
JANET JONES, an individual,
JOHN VANDER MOLEN, an individual,
JOSEPH SALERNO, an individual, and
MARY LOU McNULTY, an individual,

Defendants.

OBJECTION TO NOTICE OF PRODUCTION
FROM NON-PARTY RE BRUCE SMITH

Trailer Estates Park and Recreation District, by and through its undersigned counsel and pursuant to the applicable Rules of Florida Civil Procedure, hereby files its objection to the above-referenced Notice under Fla. R. Civ. P. 1.351 and states:

1. Plaintiffs have failed to establish the predicate necessary for the inspection, copying or diagnostic testing of the Computer and devices described in the Notice.
2. The purpose of the Notice of Production is to cause the person to whom it is directed annoyance and is not made in good faith.

WHEREFORE, the District respectfully requests this Honorable Court to sustain the objection stated herein.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent by U.S. Mail to Kevin S. Hennessy, Esquire, Lewis, Longman & Walker, P.A., 1001 Third Avenue West, Suite 670, Bradenton, Florida 34205, Daniel E. Scott, Esquire, Daniel E. Scott, P.A., 2033 Main Street, Suite 408, Sarasota, FL 34237, Robert E. Turffs, P.A. 1444 First Street, Suite B, Sarasota, Florida 34236, James D. Dye, Esquire, Dye Deitrich, Petruff & St. Paul, P.L., 1111 3rd Avenue W., Bradenton, FL 34205-7834, and Hunter W. Carroll, Esquire, Matthews, Eastmoore, Hardy, Crauwels & Garcia, P.A., 1777 Main Street, Suite 500, Sarasota, FL 34236, on this 7 day of January, 2010.

KIRK ■ PINKERTON, P.A.

50 Central Avenue, Suite 700

Sarasota, FL 34236

Tel: (941) 364-2425

Fax: (941) 364-2490

By: 

Thomas D. Shults, Esquire

Florida Bar No. 363219

Zachary L. Ross, Esquire

Florida Bar No. 0028351