

IN THE CIRCUIT COURT OF THE
TWELFTH JUDICIAL CIRCUIT OF THE
STATE OF FLORIDA IN AND FOR MANATEE COUNTY

CIRCUIT CIVIL CASE NO. 2008-CA-11315

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MARY LOU SMITH, an individual, and :

SHARON DENSON, an individual, :

:

Plaintiffs, : VIDEOTAPED

: DEPOSITION OF

vs. :

: MARY LOU SMITH

TRAILER ESTATES PARK AND :

RECREATION DISTRICT, an : VOLUME I

independent special taxing district, : Pages 1 - 146

JANET JONES, an individual, :

JOHN VANDER MOLEN, an individual, :

JOSEPH SALERNO, an individual, and :

MARY LOU McNULTY, an individual, :

:

Defendants. :

:

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TAKEN BY: THE DEFENDANT, TRAILER ESTATES PARK
AND RECREATION DISTRICT, HEREIN

BEFORE: JOANN L. ZECK
Court Reporter
Notary Public
State of Florida at Large

DATE: August 27, 2009
Commencing at 9:44 A.M.

PLACE: LEWIS, LONGMAN & WALKER, P.A.
1001 Third Avenue West
Suite 670
Bradenton, Florida 34205

1 A I think it was around the same time is my
2 recollection.

3 **Q About nine A.M.?**

4 A I think so.

5 **Q Was anyone there, either your sister or your**
6 **lawyer there when you arrived?**

7 A When I arrived, my sister was there. And I
8 can't remember -- I believe Jennifer was there.

9 **Q And tell me how long you spent inspecting**
10 **records on January 28th.**

11 A Well, let me back up.

12 On January 27th when we went there, TJ, the
13 records manager, records custodian, we had asked her
14 for the logs of the records. Part of the time on the
15 twenty-seventh, what we spent doing was -- was going
16 through the logs and making a list of the -- of the
17 records that we wanted to inspect from the logs.

18 When we arrived back on the twenty-eighth with
19 our -- with our list that we had compiled from the
20 logs, we were informed by the records custodian that
21 she no longer kept the system that way. And so we
22 asked her if she had cross-referenced things from the
23 logs, and she said no. So we had wasted a lot of time
24 thinking that we were using the system that the park
25 had for public records by being able to identify

1 records from the log, and then only to find out after
2 we had done all this that we still had to just go
3 through boxes, which we did, and we found some things,
4 we couldn't find some things.

5 **Q How long did you spend inspecting public**
6 **records on January 28th?**

7 A I -- we were there in the morning; I don't
8 remember if we were back in the afternoon or not. I --
9 I remember being quite frustrated at the -- at -- at
10 doing all that work thinking I was -- I was going to
11 have some organized way to get the records that we
12 wanted only to find out that the system was not --
13 where she had dismantled the system she had been using,
14 she didn't cross-reference anything. We have a
15 document management system which we purchased I believe
16 in April of 2008 that we still are not using right now
17 to get records. I don't remember how long I was there
18 on the twenty-eighth.

19 **Q Did anyone at the District tell you you could**
20 **not view a particular record on January 28?**

21 A No. The problem was we couldn't find records.
22 We couldn't find the records that we wanted --

23 **Q All right.**

24 A -- in the things that were given us to view.

25 **Q And did you go back after January 28th to**