

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

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

Plaintiffs,

vs.

CASE NO.: 2008 CA 11315

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.

FIRST REQUEST FOR PRODUCTION

Plaintiffs, MARY LOU SMITH and SHARON DENSON, by and through their undersigned counsel and pursuant to Rule 1.350, *Florida Rules of Civil Procedure*, request the Defendants produce the following documents at the office of the Trailer Estates Park and Recreation District (hereinafter the "District") at 1903 69th Avenue West, Bradenton, FL 34207, for purposes of review and copying within thirty days after service of this Request for Production:

DEFINITIONS

As used herein, the following words shall have the following meanings indicated:

A. The scope of the words "email" or "emails" refers to any printed or electronic version, from whatever source, however produced or reproduced, whether in draft or otherwise, whether sent or received, or neither, including, but not limited to, the original in electronic form, a

copy (if the original is not available), and all non-identical copies (whether different from the original because of notes made on or attached to such copy or otherwise) and all other information where data, metadata, records or compilations, including all underlying, supporting or preparatory material now in your possession, custody or control, or available to you, your counsel, accountants, agents, representatives or associates. "Document" or "documents" specifically includes documents kept by individuals in their desks, at home or elsewhere.

B. "You" or "your" or "District" shall refer to JANET JONES, an individual, JOHN VANDERMOLEN, an individual, JOSEPH SALERNO, an individual, and MARY LOU MCNULTY, an individual, and TRAILER ESTATES PARK AND RECREATION DISTRICT, an independent special taxing district, its agents, employees, representatives, officers, public officials, council members, city managers, lobbyists, counsels, successors, or assigns, including all other persons acting or purporting to act on its behalf; experts, persons consulted concerning any factual matter or matters of opinion relating to any of the facts or issues involved in this action, unless privileged.

INSTRUCTIONS

A. If any requested email is not presently within your physical custody, possession or control of your agents or attorneys, but you have the legal right to obtain it, then you are requested to take such steps as may be necessary to procure or produce such at the time and place indicated herein. If any such email is contained in computer memory, magnetic tape or similar non-legible storage, you are requested to produce the computer containing the document for inspection and copying.

B. To the extent precise and complete emails cannot be furnished, such emails as are available shall be supplied.

C. If objection is taken to any of the following requests, or if a request is otherwise not answered in full, state the specific grounds therefore, and respond to such request to the extent to which there is no objection. If privilege is alleged as to any of the emails requested, fully identify for each such email:

- (1) Its date;
- (2) The author;
- (3) The recipient; and
- (4) The general subject matter.

D. Emails are to be produced separately in response to each paragraph of these requests.

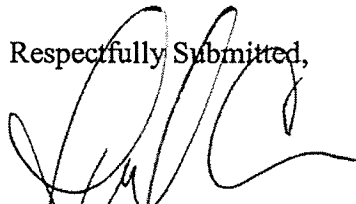
ELECTRONIC DOCUMENTS TO BE PRODUCED

1. Any and all emails sent between District Board of Trustee members and member(s)-elect relating to the District from January 1, 2006, to the present.

2. Any and all emails sent by a District Board of Trustee members and member(s)-elect that carbon copies another District Board of Trustee member(s) relating to the District from January 1, 2006, to the present.

3. Any and all blogs, chat rooms, chalkboards, bulletin boards, instant messages, groups, or other electronic mediums where two or more District Board of Trustee members and member(s)-elect have communicated regarding District issues from January 1, 2006, to the present.

Respectfully Submitted,



KEVIN S. HENNESSY, ESQUIRE

Florida Bar No. 0602558

MAGGIE MOONEY-PORTALE, ESQUIRE

Florida Bar No. 0555924

JENNIFER R. COWAN, ESQUIRE

Florida Bar No. 038081

Lewis, Longman & Walker, P.A.

1001 3rd Avenue West, Suite 670

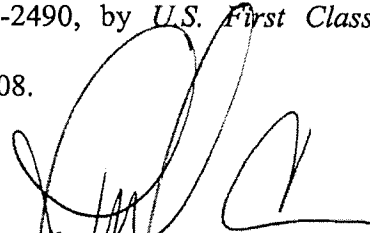
Telephone (941) 708-4040

Facsimile (941) 708-4024

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished to **Janet Jones**, 2216 Pennsylvania Avenue, Bradenton, FL 34207, **John Vandermolen** 6807 Massachusetts Street, Bradenton, FL 34207, **Joseph M. Salerno**, 6604 California Street, Bradenton, FL 34207, **Mary Lou McNulty**, 1806 Ohio Street, Bradenton, FL 34207, by *U.S. First Class Mail*, and **Thomas D. Shults**, Esquire, Kirk Pinkerton, 50 Central Avenue, Suite 700, Sarasota, Florida 34236-5742, (941) 364-2490, by *U.S. First Class Mail and Facsimile Transmission*, this 12 day of December, 2008.



JENNIFER R. COWAN, ESQUIRE