

**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.

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**PLAINTIFFS' FOURTH REQUEST FOR PRODUCTION TO DISTRICT**

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 Lewis, Longman & Walker, P.A., 1001 3<sup>rd</sup> Avenue West, Suite 670, 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. As used herein, the term "document" shall mean any and all written, graphic, audio, electronically and visually recorded matter of every kind and description, however produced, reproduced, or stored, whether draft or final, original, reproduction, or original because of notations, additions, deletions, or other changes rendering a copy not identical, all including but not limited to the definition of the term "writing" in Section 1.01(4), Florida Statutes, and in your actual or constructive possession, custody, or control.

B. "You" or "your" or "District" shall refer to TRAILER ESTATES PARK AND RECREATION DISTRICT, an independent special taxing district ("District"), its agents, employees, representatives, officers, public officials, Board members, 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 document 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 document 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 documents cannot be furnished, such documents 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 document:

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

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

**DOCUMENTS TO BE PRODUCED**

1. Any and all documents identified or referenced in your responses to the Plaintiffs' First Set of Interrogatories.
2. Any and all letters, complaints and citations issued by the District for alleged Deed Restriction violations related to the property located at 6603 Arizona in 2005.
3. Any and all letters, complaints and citations issued by the District for alleged Deed Restriction violations related to Mary Lou Smith and/or Dan Smith in 2005.
4. The video from the District budget hearing(s) in March of 2006.
5. The video of the June 19, 2006, Board of Trustees' meeting.
6. All fields with their data of the current District database, as referenced in the Stipulation/ Amended Order Pending Plaintiffs' Motion for Temporary Injunction dated May 29, 2009, that are available for production in Microsoft Excel format, to be produced in Microsoft Excel format on a disc.
7. Bill Secraw's letter to the District's Board of Trustees dated March 20, 2006.
8. Any and all minutes and notices from the District's Seasonal Recreation and/or Entertainment Committee meetings.
9. Any and all minutes and notices from the District's Continuing Recreation Committee meetings.
10. Any and all Ordinances or Resolutions adopted by the District from January 1, 2006 to present.
11. Any and all documents referenced by Mary Lou McNulty at the Board of Trustees' meeting on December 15, 2008.

12. Any and all minutes from “pre-meetings” referenced in the District’s Board meeting minutes dated March 21, 2005.
13. The audio recording made at the October 9, 2006, meeting between Mike Neal, Wayne Hamblen and Sharon Denson.
14. Any and all notices and agendas for all Executive Board, Executive Committee, and Administrative Committee meetings from January 1, 2005 to the present, except for the meetings of August 23, 2004, May 24, 2006, June 16, 2006, July 27, 2006, and September 5, 2006.
15. Any and all minutes and documents reflecting discussions from any Executive Board, Executive Committee, and Administrative Committee meetings from January 1, 2005 to the present, , except for the meetings of August 23, 2004, May 24, 2006, June 16, 2006, July 27, 2006, and September 5, 2006.
16. Any and all audio or videotapes of any Executive Board, Executive Committee meeting or Administrative Committee meeting.
17. Any and all retainer letters with Kirk Pinkerton.
18. The Armada Times that Gail Opper references in her September 12, 2007, email to John Vander Molen and Janet Jones.
19. The un-redacted version of the email dated October 9, 2007 sent to John Vander Molen regarding absentee ballot requests.
20. Any and all documents evidencing any business activities between the District and the Video Computer Club (“VCC”), including but not limited to, financial support, contributions from the VCC to the District and vice versa, all privileges granted by the District to the VCC, all approvals by the District of the VCC or its activities.
21. Any and all recording(s) made of the Recreational Round-table discussion of January 13, 2009.

22. Any and all responses to the October 13, 2009 memo from Pam Cole entitled "Audit Concerns."

23. The letter from Kenya Brown referenced in the February 17, 1997 board meeting minutes.

24. Minutes from the following District Board of Trustees' meetings or workshops dated: January 31, 2005, March 28, 2005, May 23, 2005, May 27, 2005, November 1, 2005, November 14, 2005, February 13, 2006, April 10, 2006, May 8, 2006, June 26, 2006, July 10, 2006, August 14, 2006, October 23, 2006, and November 13, 2006.

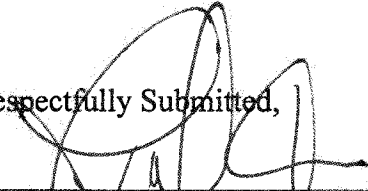
25. Any and all recordings (audio, video or both) from the following District Board of Trustees' meetings or workshops dated: August 31, 2009, August 25, 2008, August 18, 2008, August 11, 2008, August 4, 2008, February 29, 2008, November 13, 2006, October 23, 2006, October 16, 2006, October 2, 2006, September 18, 2006, September 5, 2006, August 28, 2006, July 10, 2006, June 26, 2006, April 17, 2006, August 23, 2004.

26. Any and all District statements, logs, or back-up documentation for lawn care provided by District personnel at 1613 Illinois during July 2006, including but not limited to, invoices for service from maintenance personnel, time slips and/or time cards from District maintenance personnel.

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27. Any and all documents created by John Vander Molen prior to November 1, 2007 related to the District's charging a sixty dollar (\$60.00) rate for Deed Restriction violations for yards and lots.

Respectfully Submitted,



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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 3<sup>rd</sup> 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 **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 *facsimile and U.S. Mail*, this 3<sup>rd</sup> day of February, 2010.



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JENNIFER R. COWAN, ESQUIRE