

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

CASE NO. 08 CA 11315

DIVISION: B

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

Plaintiffs,

vs.

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.

DEPOSITION OF: GAIL OPPER  
(Volume I)

DATE: Tuesday, December 1, 2009

TIME: 1:33 p.m. - 6:05 p.m.

LOCATION: Kirk, Pinkerton, P.A.  
1301 Sixth Avenue West  
Suite 401  
Bradenton, Florida 34205

REPORTED BY: NANCY E. PAULSEN, CRR, RPR, FPR  
Notary Public  
State of Florida at Large  
US Legal Support

**U.S. Legal Support**  
**(813) 876-4722**

1           **Q. Now, is it possible that there were e-mails**  
2           **responsive to the requests for e-mails in this duces**  
3           **tecum that at one time existed but were deleted by you?**

4           A. Well, right here.

5           **Q. So that's yes?**

6           A. I can't deny that, it's right here, yes, sir.

7           **Q. And there may be others?**

8           A. Well --

9           **Q. Ma'am?**

10          A. Well, I guess so, sir. I can't keep --

11          **Q. Okay.**

12          A. I just told you, my computer will not keep all  
13          e-mails.

14          **Q. I see.**

15                   **So there may be e-mails that you sent or**  
16           **received from current or past District Board of Trustees**  
17           **members and members elect that copy other District board**  
18           **members that you received from either 2005 to the**  
19           **present that no longer exist on your computer?**

20          A. Mr. Hennessy --

21                   MR. TURFFS: Object to form.

22                   MR. CARROLL: Form.

23          A. Kirk Pinkerton told me that I was only to  
24          produce what I had in my home.

25          BY MR. HENNESSY: