

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

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

Plaintiffs,

vs.

CASE NO.: 08 CA 11315
Division B

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.

NOTICE OF TAKING DEPOSITION DUCES TECUM

PLEASE TAKE NOTICE that counsel for the Plaintiffs, MARY LOU SMITH and SHARON DENSON, will take the following deposition:

NAME: Scott Rudacille, Esquire
DATE: March 19, 2010
TIME: 1:30 PM
PLACE: Kirk Pinkerton
(First Bank Building)
1301 6th Avenue West
Suite 401
Bradenton, Florida 34205

upon oral examination before a Court Reporter authorized by law in the State of Florida to take depositions. This oral examination will continue from day to day until completed. The

deposition is being taken for the purpose of discovery, for use at trial, or for such other purposes as are permitted under the Florida Rules of Civil Procedure.

The documents listed on Exhibit "A" attached hereto shall be brought to the deposition.

Respectfully Submitted,



KEVIN S. HENNESSY, ESQUIRE

Florida Bar No. 0602558

MAGGIE D. MOONEY-PORTALE, ESQUIRE

Florida Bar No. 0555924

JENNIFER R. COWAN

Florida Bar No. 0038081

Lewis, Longman & Walker, P.A.


1001 3rd Avenue West, Suite 670

Bradenton, Florida 34205

Telephone (941) 708-4040

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 and Zachary Ross, Esquire**, Kirk Pinkerton, P.A., 50 Central Avenue, Suite 700, Sarasota, FL 34236, by *facsimile and U.S. First Class Mail*, this 26th day of February, 2010.



KEVIN S. HENNESSY, ESQ.

cc: US Legal Support (via email)

EXHIBIT "A"

Any and all documentation in your possession regarding Trailer Estates Park and Recreation District, including, but not limited to the following:

1. Any and all letters, memos, telephone messages, facsimiles, or emails between you and any employee, previous or current member of the Board of Trustees for Trailer Estates Park and Recreation District ("District"), whether in electronic or written format, from January 1, 2006, to the present.
2. Any and all calendars from January 1, 2006, to the present, whether in electronic or written format, depicting any meetings between you and any person who has served or is serving on the District's Board of Trustees.
3. Any and all documents not previously produced in response to Plaintiff's December, 12, 2008, Request for Production.
4. Any and all documents (including but not limited to all notes, memos, recordings or emails) whether in electronic or written format, relating to the Trailer Estates Park and Recreation District's ("District") Executive Committee, Administrative Committee, and/or Executive Board.
5. Any and all documents reflecting communication between any member of the Board of Trustees or Trustees elect for the District from January 1, 2005, to the present.
6. Any and all documents that claim an exemption to the public records law responsive to any public records requests made by the Plaintiffs.
7. Any and all public records sought by the Plaintiffs and/or identified in the Third Amended Complaint and Addenda.
8. Any and all documents related to the communications with the Plaintiffs.
9. Any and all documents related to the District's newspaper, newsletter, or the Tribune.
10. Any and all documents related to the District's television channel or the video club.
11. Any and all letters, notes, emails or documents reflecting communications with the District, between the District members and Kirk Pinkerton, Ruden McClosky, and/or Harlan Domber, Esq.
12. Any and all documents responsive to Plaintiffs'/Plaintiffs' counsel's public records requests or related to any request for public records by Plaintiffs or Plaintiffs counsel since January 2005.

13. Any and all documents related to any memorandum or email that Kirk Pinkerton has sent to or received from the District.
14. Any and all notes, emails and documents related to any District Board meeting or District committee meeting you attended.
15. Invoices and billing records from 2006 to present to the District for legal services from Kirk Pinkerton.
16. Any and all documents related to the District's Public Records Policy.
17. Any and all documents related to the District and the Sunshine Law.