

IN THE CIRCUIT COURT OF THE 17th JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

POMPANO SENIOR SQUADRON FLYING CLUB, INC.
(aka POMPANO BEACH FLYING CLUB)

Plaintiff,

and

Case No.: CACE 20-005993
Division (8)

CARL L. KENNEDY, II

Defendant.

**DEFENDANT'S FIRST REQUEST
FOR PRODUCTION OF DOCUMENTS**

CARL L. KENNEDY, II, Defendant, requests pursuant to Rule 1.350 of the Florida Rules of Civil Procedure, that PLAINTIFF, POMPANO SENIOR SQUADRON FLYING CLUB, produce to me the following items for copying and inspection the originals or exact copies of all of the documents, 30 days from the date hereof, at 2929 S. Ocean Blvd., #510, Boca Raton, FL 33432.

Plaintiff should comply with the mandates of Florida Rules of Procedure 1.350, which provide in pertinent part as follows:

Rule 1.350(b): "The party to whom the request is directed shall file a written response within 30 days after service of the request.... For each item or category the response shall state that inspection and related activities will be permitted as requested unless the request is objected to, in which event the reasons for the objection shall be stated. If an objection is made to part of an item or category, the part shall be specified. When producing documents, the producing party shall either produce them as they are kept in the usual course of business or shall identify them to correspond with the categories in the request."

The following items requested should be construed with the preliminary definitions set forth below:

A. Unless otherwise indicated, the term "documents" shall mean the original (and any copy with notations or addenda not on the original) of any written, printed, typed, photocopied, photographic, and recorded matter of any kind or character, and any recorded material, however produced or reproduced, including without limiting the generality of the foregoing, all drafts, contracts, diaries, appointment books, calendars, desk pads, correspondence, communications, telegrams, teletypes, memoranda, notes, studies, reports, minutes of meetings, invoices, credits, debits, transcripts, inventories, drawings, graphs, charts, photographs, films, microfilms, slides, magnetic and electronic recordings, sound recordings, lists, minutes, checks and entries in books

of account relating or in any way referring to the subject matter of this request.

B. Where a particular document is described, e.g., agreement, minutes, etc., such description shall be deemed to include any and all drafts of such documents.

C. If any document requested herein is not produced due to a claim of privilege, each such document should be identified by date, number of pages, author, recipients, and the nature of the privilege so claimed.

1. Any and all retainer agreements with present counsel regarding the instant matter, as well as any and all statements for services rendered, evidence of payments made to said counsel, from you individually, from anyone on your behalf, from the corporation or entity, including, but not limited to, canceled checks, receipts and notes.

2. Copies of all statements for all legal and any other professional services rendered to you in connection with or related to these proceedings and copies of all canceled checks in payment of such services, together with any contract or memoranda setting forth your agreement as to payment for such services, including memoranda, documents presented to shareholders, resolution and voting documents, minutes of meetings, all notices and all emails sent to or received by you from shareholders, Officers or member of the Board Directors regarding same, excluding attorney-client privileged documents/communications.

3. All documents concerning, and a copy of any new Bylaws or prospective Bylaws or Operational Rules or prospective Operational Rules proposed or promulgated for/by Plaintiff since February 12, 2020, including memoranda, documents presented to shareholders, resolution and voting documents, minutes of meetings, all notices and all emails sent to or received by you from shareholders, Officers or member of the Board Directors regarding same, excluding attorney-client privileged documents/communications.

4. A list of all shareholders of the corporation as of February 12, 2020, and as of the date of your responses to this Request, including each individual's name, address, telephone number and email address.

5. All documents and communications, which discuss with the shareholders or amongst the Officers or Board of Directors, the hiring/retaining of Attorney Holodak, including memoranda, documents presented to shareholders, resolution and voting documents, minutes of meetings, all

notices and all emails sent to or received by you from shareholders, as well as any Officer or member of the Board of Directors, regarding same.

6. All documents and communications since January 1, 2019 in your possession, custody or control, excluding attorney-client privileged documents or communications, which discuss me or relate in any way to my position as (now former) Treasurer or a lawsuit against me, including memoranda, documents presented to shareholders, resolution and voting documents, minutes of meetings, all notices and all emails sent to or received by you from shareholders, as well as any Officer or member of the Board of Directors, regarding same.

7. All documents and communications since January 19, 2019, which were sent by or received by any Officer or member of the Board of Directors after February 12, 2020, to or from any Officer or member of the Board of Directors which existed immediately prior to February 12, 2020, which discuss me or a lawsuit against me, or relate in any way to my position as (now former) Treasurer, including memoranda, documents presented to shareholders, resolution and voting documents, minutes of meetings, all notices and all emails sent to or received by you from shareholders, as well as any Officer or member of the Board of Directors, regarding same

8. All documents that you will introduce at trial.

9. All documents consulted by you in answering Interrogatories.

10. All documents which are in whole or in part the basis of your Answers to Interrogatories.

11. All documents identified in your Answers to Interrogatories.

I hereby certify that on the _____ day of August, 2020, I sent a copy of the foregoing via the Florida e-portal to Edward Holodak, Esquire at pleadings@holodakpa.com.

BY:

/s/ Carl L. Kennedy, II

Carl L. Kennedy, II

2929 S. Ocean Blvd., #510

Boca Raton, FL 33432

304-552-0206

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