

IN THE CIRCUIT COURT OF THE 17<sup>th</sup> JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA

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

Plaintiff/Counter-Defendant,  
and

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

CARL L. KENNEDY

Defendant/Counter-Plaintiff.

**RESPONSES TO PLAINTIFF'S**  
**SECOND REQUEST FOR PRODUCTION OF DOCUMENTS**

I, Carl L. Kennedy, II, respond to Plaintiff's Request for Production. I generally object to all instructions and definitions contained in Plaintiff's Second Request for Production to the extent they differ from the Florida Rules of Civil Procedure.

1. Objection. (1) Accountant-client privilege (the requested documents, to the extent they still exist and are otherwise available and subject to discovery, are my personally purchased software programs which are not severable from my personal business clients with protected information not relevant to or discoverable in this matter); (2) Overbroad and burdensome; (3) Beyond the scope (to the extent this request seeks documents beyond the Statute of Limitations); and (4) Irrelevant at this stage of proceedings (this request relates to an accounting itself and is inappropriate unless and until Plaintiff has established its entitlement to an accounting in accordance with well-settled Florida law regarding this principle).

Without waiving the above objections, I am providing a "flash drive" to Plaintiff under separate cover containing the General Ledger Detail for the Club's revenue and expense accounts for the years 2017, 2018 and 2019.

2. Objection. (1) Accountant-client privilege (the requested documents, to the extent they still exist and are otherwise available and subject to discovery, are my personally purchased software programs which are not severable from my personal business clients with

protected information not relevant to or discoverable in this matter); (2) Overbroad and burdensome; (3) Beyond the scope (to the extent this request seeks documents beyond the Statute of Limitations); and (4) Irrelevant at this stage of proceedings (this request relates to an accounting itself and is inappropriate unless and until Plaintiff has established its entitlement to an accounting in accordance with well-settled Florida law regarding this principle).

Without waiving the above objections, 90% of the documents which this request seeks are already within Plaintiff's possession, custody and control, such as the Club's bank statements and prior year's tax returns.

3. None.

I hereby certify that on the 23<sup>rd</sup> day of April, 2021, 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  
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