

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

SUNWOOD, INC.,

Plaintiff,

Case No.: CACE 21 – 003202 (12)

vs.

POMPANO SENIOR SQUADRON
FLYING CLUB, INC.,

Defendant

POMPANO SENIOR SQUADRON
FLYING CLUB, INC.,

Third-Party Plaintiff,

v.

CARL L. KENNEDY, II

Third-Party Defendant.

NOTICE OF SERVING INTERROGATORIES

Third-Party Plaintiff, POMPANO SENIOR SQUADRON FLYING CLUB, INC. (“Club”), pursuant to the Fla. R. Civ. P. 1.350, requests Third-Party Defendant, CARL KENNEDY. (Defendant “Kennedy”) to answer the following interrogatories in writing and under oath within thirty (30) days from the date of service hereof.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent via eportal this 11th day of November 2021 to Dane Stanish, Esq., stanishd@gmail.com and to Carl L. Kennedy, II, clktax@aol.com

_____/s/ Edward F. Holodak, Esq.,
EDWARD F. HOLODAK, ESQ.
Fla. Bar No.: 059234
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DEFINITIONS

1. As used herein, please note the terms you, You, Defendant, or Kennedy refers to Defendant Carl L. Kennedy, II.
2. The term Plaintiff or Club refers to Defendant Third-Party Plaintiff, POMPANO SENIOR SQUADRON FLYING CLUB, INC.
3. As used herein, the term person means any natural person, individual, proprietorship, partnership, corporation, association, organization, joint venture, firm, other business enterprise, government body, group of natural persons, or other entity.
4. As used herein, the terms “documents” as well as “documentation” shall mean any written, printed or typed matter in the possession, custody or control of Defendant, his agents or attorneys, including, but not limited to, all drafts and copies bearing notations or marks not found in the original, letters and correspondence, interoffice communications, surveys, reports, messages of any type, telephone messages, notices, instructions, minutes, summaries, notes, notes of meetings, transcripts, file folder markings, and any other organizational indicia, accounting records, accounting worksheets, tapes or other recordings, magnetic tapes, electronic data storage devices, electronic data communication devices, computers spreadsheets, computer printouts, or any other information filed or stored in any form in computers or otherwise and which can be retrieved, obtained, manipulated, or translated.
5. As used herein, the term Loan refers to the alleged money given by Plaintiff Sunwood to Defendant Club that is the subject matter of this lawsuit.
6. As used herein, the term relates to or relating to@ means referring to, concerning, documenting, responding to, containing, regarding, discussing, documenting, describing, reflecting, analyzing, constituting, disclosing, employing, defining, stating, explaining, summarizing, or in any way pertaining to.
7. As used herein, the terms and as well as or shall be construed both disjunctively and conjunctively so as to bring within the scope of each of these requests any information which otherwise might be construed to be outside the scope of any request.
8. The use of the singular form of any word includes the plural, and the use of the plural includes the singular.

INSTRUCTIONS

9. Your written response shall state, with respect to each interrogatory shall provide exact information, and if you cannot be exact, estimate the information and so indicate, with upper and lower boundaries.
10. To the extent you object, please state the reasons for the objection, including any claim of privilege, and the factual basis therefore to determine the sufficiency of the basis for the objection. If objection is made to part of an interrogatory, the part shall be specified with the reasons, and the remaining parts shall be answered.
11. If you are unable to answer all or part of an interrogatory, identify the person whom you believe has the knowledge or information which the interrogatory addresses.
12. These interrogatories are deemed to be continuing in nature, and in the event you become aware of or acquire in your possession, custody or control additional information responsive to the interrogatory, you are requested to produce promptly an amendment to the previously supplied interrogatory answer or response.
13. If in responding to these interrogatories you encounter any ambiguity in construing any interrogatory, instructions or definition, please set forth the matter deemed ambiguous and the construction used in responding thereto.

INTERROGATORIES

1. State the name, address and phone number of the person or persons answering or assisting with the preparation of the answer to these interrogatories and those people's relationship to Defendant Kennedy.

2. If you assert that the Club borrowed money from Plaintiff Sunwood, state the date, time and location of the Board of Directors meeting of the Club at which the Board of Directors voted to authorize the Club to take such loan (the "Loan").

3. If you assert that the Club borrowed money from Plaintiff Sunwood, state the name of each Board of Director or the Club that voted in favor of taking the Loan, state the name of each Board of Director of the Club who voted against taking the Loan.

4. State all terms of the Loan, including by not limited to the interest rate of the Loan, the repayment terms for the Loan, to whom the payments were to be made, how payments were made.

5. State the date that the Board of Directors of the Club submitted the Loan to the members of the Club for the members' approval of the Loan. If such vote was taken, state the percentage of affirmative votes for the Loan and the percentage of negative votes as to the Loan.

6. If you contend that the Loan was a secured loan, identify the document or documents executed by any officer or director of the Club giving a security interest in exchange for the Loan, state the name of the person or persons that in possession of such document, state the name of the director or officer who signed such document on behalf of the Club and identify the Club asset which served as collateral for the Loan.

7. State whether the Club made any payments to Sunwood in repayment of the Loan at any time while you served as treasurer of the Club, identify the date of each payment, the amount of each payment and to whom the payment was sent.

STATE OF FLORIDA)
COUNTY OF _____)

CARL KENNEDY

The foregoing instrument was acknowledged before me, by means of _____ physical presence or _____ online notarization, this _____ day of _____, 2021, by CARL L. KENNEDY, II who is personally known to me or who produced _____ as identification and who did take an oath.

Notary Public
My Commission Expires