

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION**

CYNTHIA L. ABBOTT REVOCABLE TRUST,  
JONILEA FOSTER BELL REVOCABLE  
TRUST, ALEX R. KISH REVOCABLE TRUST,  
DIANA J. KISH REVOCABLE TRUST, and  
SAMUEL A. OSBORNE and ILLIANA E.  
OSBORNE, as husband and wife,

Plaintiffs,

vs.

CASE NO.: 3:14-CV-00646-MCR-EMT

OLSON & ASSOCIATES OF NW  
FLORIDA, INC., INTRAWEST  
SANDESTIN COMPANY, L.L.C.,  
NORTHTIP DEVELOPMENT, LLC,  
ADAMS HOMES OF NORTHWEST  
FLORIDA, INC., DAVID O. CAMPBELL,  
P.E., CAMPBELL ENGINEERING, INC.,  
WALTON COUNTY, FLORIDA, and  
WALTON COUNTY BOARD OF COUNTY  
COMMISSIONERS, SARA COMANDER

Defendants.

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**PLAINTIFF SAMUEL OSBORNE'S  
SECOND REQUEST FOR PRODUCTION  
TO COMMISSIONER COMANDER**

Plaintiff, Samuel Osborne ("Osborne"), gives notice of this Request for Production ("Request") upon Defendant, WALTON COUNTY COMMISSIONER SARA COMADNER ("COMANDER") by serving a copy of this notice together with the Discovery Requests to be answered within the time and in the manner provided under the Rules and in accordance with the attached as Exhibit A "Discovery Instructions and Definitions," via email only to all counsel on the attached Service List this 22 day of March, 2015.

**CERTIFICATE OF SERVICE**

I certify that a true copy of the foregoing has been served via e-mail to all counsel as listed on the attached Service List, this 22 day of March, 2015

/s/ Shawn M. Heath

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Attorneys for Plaintiffs

## SERVICE LIST

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
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| <p><b>Attorneys for Walton County</b><br/> Mark D. Davis<br/> Sidney N. Noyes<br/> Walton County Attorney<br/> 161 E. Sloss Avenue<br/> DeFuniak Springs, Florida 32433<br/> P: 850-892.8110<br/> F: 850-892-8471<br/> <a href="mailto:mdd@co.walton.fl.us">mdd@co.walton.fl.us</a><br/> <a href="mailto:sincrissie@co.walton.fl.us">sincrissie@co.walton.fl.us</a></p>                                                                                                                     | <p><b>Olson &amp; Associates of NW Florida, Inc. and Northtip Development, LLC</b><br/> 4300 Legendary Drive, Suite 234<br/> Destin, FL 32541<br/> P: 850-650-4353<br/> F: 850-650-3881<br/> <a href="mailto:rick@olsonlandpartners.com">rick@olsonlandpartners.com</a></p>                                                                                                                                                                                                                                                                                                      |
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### **Request for Production**

1. Produce a copy of **any communications** (including, but not limited to, emails, text messages or any other electronic communication) that occurred on or after January 1, 2009, between, or to/from you and the following persons, or their companies, or their relatives, or their representatives:

emails or text messages to/or from Robert Nelson including, but not limited to, the following email addresses:

- a. [wrobertnelson@gmail.com](mailto:wrobertnelson@gmail.com)
- b. [robert@wrobertnelson.com](mailto:robert@wrobertnelson.com)
- c. [robert@ifixcomputers.net](mailto:robert@ifixcomputers.net)
- d. [comsara@co.walton.fl.us](mailto:comsara@co.walton.fl.us)
- e. [saracomander@aol.com](mailto:saracomander@aol.com)

## **EXHIBIT A**

### **Discovery Instructions and Definitions**

#### **Instructions**

A. Answer each discovery request separately and as completely as possible. The fact that investigation is continuing or that discovery is not complete shall not excuse failure to answer each discovery request as fully as possible.

B. Respond based upon information known to you and/or your agents or attorneys, other than information which is subject to attorney/client or work product privilege. To the extent that the response to any discovery request is not based upon information known to you, specify the person possessing the information.

C. If the response to all or part of any discovery request is not presently known or available, include a statement to that effect, specify the portion of the discovery request which cannot be completely answered, and furnish all information that is known or available.

D. If the response references documents, then identify the documents, by document number or date of the document, title, author and recipient.

E. **Overbroad, Unduly Burdensome, Ambiguous, etc. Objections.** If you believe that any discovery request is overbroad, ambiguous, unduly burdensome, or have a similar type of objection, then please contact undersigned counsel before responding with these objections, so that we can resolve those issues to enable you to meaningfully respond.

#### **Definitions**

When used herein, the following words shall have the following meanings:

1. As used herein, the term “**Document(s)**” means, without limitation, all originals, copies and drafts of any written, typewritten, recorded, electronically stored information, CDs, DVDs, transcribed, printed, taped, digital, photographic or graphic matter, however produced or reproduced, whether sent, received, or stored within your possession, custody or control, whether made, written or prepared by you or by any other person including, but not limited to, all drawings, project manuals, submittals, pay applications, pay requests, change order requests, notices of default, notices to cure, job cost reports, all bid documents, bid bonds, payment and performance bonds, close-out and warranty information, warranties, daily reports, construction schedules and schedule updates in paper and electronic form *with all restrictions removed*, contract conditions, plans, specifications, change orders, requests for information, supplemental agreements, addenda, value engineering proposals, shop drawings, product literature, product data, transmittals, test data, bulletins, progress meeting minutes, books, pamphlets, articles,

newspapers, press releases, magazines, booklets, circulars, handbooks, manuals, periodicals, letters, memoranda, files, envelopes, notices, instruments, reports, financial reports, records, studies, transcripts, diaries (*formal or informal*), checks, stubs, registers, audited or unaudited financial statements, working papers, questionnaires, notes, notations, charts, lists, comparisons, telegrams, cables, telex messages, communications (*including intracorporate communications*), and reports, notes (*including any made during the review or preparation of work papers*), notations and memoranda of, or relating to, meetings or telephone conversations, minutes, transcriptions, correspondence, **e-mails and attachments**, agreements, offering circulars, graphs, tabulations, analyses, evaluations, projections, opinions or reports of consultants, statements, summaries, desk calendars, appointment books, telephone logs, questionnaires, surveys, indices, diagnostic imaging films and tests, prescriptions, computer inputs or outputs, data in computer memory, data stored on discs or tapes, microfilm, magnetic tapes or discs or photographs.

(a) Different versions of the same documents, handwritten notes or notations in any form, drafts of documents and documents with handwritten notations or marks not found in the original or on other copies are also “Documents”.

(b) Without limitation of the term “control,” a document is deemed to be within your control if you have ownership, possession, or custody of the original, a copy or the right or ability to secure either from any other person who has possession or custody of it.

2. “And” as well as “or” shall be construed either disjunctively or conjunctively, as necessary to bring within the scope of this request any information which might otherwise be construed to be outside its scope; and the singular shall include the plural and the plural shall include the singular except as the context may otherwise require.

3. “Relating to,” “related to,” or “reflecting” means containing, showing, concerning, respecting, describing, depicting, embodying, including, reflecting, identified with, connected with, in conjunction with, evidencing, representing, comprising, relating to, or referring in any way, directly or indirectly, to, and is meant to include, among other things, matters that are or were underlying or supporting.

4. “Documents” includes documents now or previously attached or appended to, or used in the preparation of any “Document”.