

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN FRESHWATER, <i>et al.</i>,	)	CASE NO. 2:09 cv 464
)	
Plaintiffs,	)	JUDGE FROST
	)	MAGISTRATE JUDGE KING
vs.)	
	)	DEFENDANT MOUNT VERNON CITY
MOUNT VERNON CITY SCHOOL	)	SCHOOL DISTRICT BOARD OF
DISTRICT BOARD OF EDUCATION, <i>et</i>	)	EDUCATION'S FIRST REQUEST FOR
<i>al.</i>	)	PRODUCTION OF DOCUMENTS
	)	PROPOUNDED TO PLAINTIFF JOHN
Defendants.	)	FRESHWATER

Defendant Mount Vernon City School District Board of Education (“Defendant”), pursuant to Civ. R. 34, propound the following First Request for Production of Documents upon Plaintiff John Freshwater (“Plaintiff”). The following discovery is to be answered separately and fully, in writing and under oath and a copy thereof is to be served upon counsel for the Board within thirty (30) days of service thereof at the law offices of Britton, Smith, Peters & Kalail Co., L.P.A., Three Summit Park Drive, Suite 400, Cleveland, Ohio 44131.

I. INSTRUCTIONS

As required by law, your responses should supply documents not only in your possession, custody or control, but also such documents that are available to all other persons acting on your behalf in this case (e.g., your attorney).

If you claim privilege for any document or any communication encompassed by the Requests for Production, please set forth the basis for such claim of privilege and give a sufficient description to identify specifically each such document or communication, the authors

recorded, or otherwise produced, reproduced or stored communication or representation, including, but not limited to, all correspondence, memoranda, notes, records, letters, emails, envelopes, telegrams, messages, studies, analyses, contracts, agreements, schedules, appointment books and calendars, projections, estimates, working papers, summaries, statistical statements, financial statements or work papers, accounts, analytical records, scientific or technical data, reports and/or summaries of investigations, transcriptions, opinions or reports of consultants, opinions or reports of investigators, consultants, laboratories, messages (including reports of telephone conversations and conferences), or any other reports, books, diaries, articles, magazines, newspapers, booklets, brochures, pamphlets, circulars, bulletins, notices, forecasts, drawings, diagrams, instructions, minutes of meetings, communications of any type, including inter- or intra-office communications (including e-mail), questionnaires and surveys, charts, tables, graphs, reports, photographs, pictures, films, video or audio tapes, recordings, disks, drums, printouts, all other data compilations from which information can be obtained and other writings or documents of whatever description or kind, whether produced or authored by you or anyone else, and any preliminary versions, drafts or revisions of the foregoing, including non-identical copies of all of the foregoing. If any such document was, but is no longer in your possession or control, state what disposition was made of it and when.

7. "Communication" means any statement, question, command or interjection, whether made orally, visually or in writing or by mechanical or electronic device.

III. REQUESTS FOR PRODUCTION OF DOCUMENTS

As to each of the numerated items requested for production, Plaintiff will supplement by Friday, June 25, 2010.

Respectfully submitted,

s/ R. Kelly Hamilton

The Law Office of R. Kelly Hamilton (0066403)

Office: 4030 Broadway, Grove City, Ohio 43123

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Phone 614-875-4174 Fax

Email: hamiltonlaw@sbcglobal.net

Attorney for John Freshwater

CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2010, a copy of the foregoing was served to the following counsel via electronic mail and ordinary U.S. mail.

Sarah J. Moore (0065381)

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3 Summit Park Drive

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Counsel for Defendant Mount Vernon

City School District Board of Education

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN FRESHWATER, <i>et al.</i>,	)	CASE NO. 2:09 cv 464
)	
Plaintiffs,	)	JUDGE FROST
	)	MAGISTRATE JUDGE KING
vs.)	
	)	DEFENDANT MOUNT VERNON CITY
MOUNT VERNON CITY SCHOOL	)	SCHOOL DISTRICT BOARD OF
DISTRICT BOARD OF EDUCATION, <i>et</i>	)	EDUCATION'S FIRST REQUEST FOR
<i>al.</i>	)	PRODUCTION OF DOCUMENTS
	)	PROPOUNDED TO PLAINTIFF NANCY
Defendants.	)	FRESHWATER

Defendant Mount Vernon City School District Board of Education (“Defendant”), pursuant to Civ. R. 34, propound the following First Request for Production of Documents upon Plaintiff Nancy Freshwater (“Plaintiff”). The following discovery is to be answered separately and fully, in writing and under oath and a copy thereof is to be served upon counsel for the Board within thirty (30) days of service thereof at the law offices of Britton, Smith, Peters & Kalail Co., L.P.A., Three Summit Park Drive, Suite 400, Cleveland, Ohio 44131.

I. INSTRUCTIONS

As required by law, your responses should supply documents not only in your possession, custody or control, but also such documents that are available to all other persons acting on your behalf in this case (e.g., your attorney).

If you claim privilege for any document or any communication encompassed by the Requests for Production, please set forth the basis for such claim of privilege and give a sufficient description to identify specifically each such document or communication, the authors and the persons to whom it was addressed, and the basis for your claim of privilege (i.e. the nature of the privilege claimed and the facts upon which such claim is based).

envelopes, telegrams, messages, studies, analyses, contracts, agreements, schedules, appointment books and calendars, projections, estimates, working papers, summaries, statistical statements, financial statements or work papers, accounts, analytical records, scientific or technical data, reports and/or summaries of investigations, transcriptions, opinions or reports of consultants, opinions or reports of investigators, consultants, laboratories, messages (including reports of telephone conversations and conferences), or any other reports, books, diaries, articles, magazines, newspapers, booklets, brochures, pamphlets, circulars, bulletins, notices, forecasts, drawings, diagrams, instructions, minutes of meetings, communications of any type, including inter- or intra-office communications (including e-mail), questionnaires and surveys, charts, tables, graphs, reports, photographs, pictures, films, video or audio tapes, recordings, disks, drums, printouts, all other data compilations from which information can be obtained and other writings or documents of whatever description or kind, whether produced or authored by you or anyone else, and any preliminary versions, drafts or revisions of the foregoing, including non-identical copies of all of the foregoing. If any such document was, but is no longer in your possession or control, state what disposition was made of it and when.

7. "Communication" means any statement, question, command or interjection, whether made orally, visually or in writing or by mechanical or electronic device.

III. REQUESTS FOR PRODUCTION OF DOCUMENTS

As to each of the numerated items requested for production, Plaintiff will supplement by Friday, June 25, 2010.

Respectfully submitted,

s/ R. Kelly Hamilton

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Phone 614-875-4174 Fax

Email: hamiltonlaw@sbcglobal.net

Attorney for Nancy Freshwater

CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2010, a copy of the foregoing was served to the following counsel via electronic mail and ordinary U.S. mail.

Sarah J. Moore (0065381)

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Cleveland, Ohio 44131

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Counsel for Defendant Mount Vernon

City School District Board of Education

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN FRESHWATER, <i>et al.</i>,	)	CASE NO. 2:09 cv 464
)	
Plaintiffs,	)	JUDGE FROST
	)	MAGISTRATE JUDGE KING
vs.)	
	)	DEFENDANT MOUNT VERNON CITY
MOUNT VERNON CITY SCHOOL	)	SCHOOL DISTRICT BOARD OF
DISTRICT BOARD OF EDUCATION, <i>et</i>	)	EDUCATION'S FIRST SET OF
<i>al.</i>	)	INTERROGATORIES PROPOUNDED TO
	)	PLAINTIFF JOHN FRESHWATER
Defendants.)	

Defendant Mount Vernon City School District Board of Education (“Defendant”), pursuant to Civ. R. 33 propounds the following First Set of Interrogatories upon Plaintiff John Freshwater (“Plaintiff”). The following discovery is to be answered separately and fully, in writing and under oath and a copy thereof is to be served upon counsel for the Board within thirty (30) days of service thereof at the law offices of Britton, Smith, Peters & Kalail Co., L.P.A., Three Summit Park Drive, Suite 400, Cleveland, Ohio 44131.

I. INSTRUCTIONS

As required by law, your responses should supply documents not only in your possession, custody, or control, but also such documents that are available to all other persons acting on your

9. Whenever you are asked the “identity” of a person or business entity or asked to “identify” a person or business entity, state, to the extent known, each person’s or entity’s full name, present or last known business and residence addresses, present or last known business and residence telephone number, and each person’s job title and employer, if any, and relationship to Plaintiff; or if such person is a student, then so state and give the name of the educational institution where such person is a student.

10. Whenever you are asked to “identify” a document, state the type of document, its author, its date, a general description of its contents, and the identity of its present or last known custodian.

11. “Communication” means any statement, question, command or interjection, whether made orally, visually or in writing or by mechanical or electronic device, and whether for internal or external use.

12. “Healthcare Professional” means any medical doctor, doctor of osteopathy, psychiatrist, psychologist, nurse, physician’s assistant, therapist, social worker, dentist, or any other individual providing physical or mental treatment, consultation, therapy, diagnosis or assistance.

III. INTERROGATORIES

As to each of the numerated items requested, Plaintiff will supplement by Friday, June 25, 2010.

VERIFICATION

I, John Freshwater, being first duly sworn, deposes and states that the foregoing Answers to Defendant Mount Vernon City School District Board of Education's First Set of Interrogatories are true and accurate to the best of my belief and knowledge.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN FRESHWATER, <i>et al.</i>,	)	CASE NO. 2:09 cv 464
)	
Plaintiffs,	)	JUDGE FROST
	)	MAGISTRATE JUDGE KING
vs.)	
	)	DEFENDANT JODY GOETZMAN'S
MOUNT VERNON CITY SCHOOL	)	FIRST SET OF INTERROGATORIES
DISTRICT BOARD OF EDUCATION, <i>et</i>	)	PROPOUNDED TO PLAINTIFF JOHN
<i>al.</i>	)	FRESHWATER
)	
Defendants.)	

Defendant Jody Goetzman (“Defendant”), pursuant to Civ. R. 33 propounds the following First Set of Interrogatories upon Plaintiff John Freshwater (“Plaintiff”). The following discovery is to be answered separately and fully, in writing and under oath and a copy thereof is to be served upon counsel for the Board within thirty (30) days of service thereof at the law offices of Britton, Smith, Peters & Kalail Co., L.P.A., Three Summit Park Drive, Suite 400, Cleveland, Ohio 44131.

I. INSTRUCTIONS

As required by law, your responses should supply documents not only in your possession, custody, or control, but also such documents that are available to all other persons acting on your

SWORN TO BEFORE ME and subscribed in my presence this ____ day of _____, 2010.

Notary Public

Respectfully submitted,

s/ R. Kelly Hamilton

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Phone 614-875-4174 Fax

Email: hamiltonlaw@sbcglobal.net

Attorney for John Freshwater

CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2010, a copy of the foregoing was served to the following counsel via electronic mail and ordinary U.S. mail.

Sarah J. Moore (0065381)
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*Counsel for Defendant Mount Vernon
City School District Board of Education*

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN FRESHWATER, <i>et al.</i>,	)	CASE NO. 2:09 cv 464
)	
Plaintiffs,	)	JUDGE FROST
	)	MAGISTRATE JUDGE KING
vs.)	
	)	DEFENDANT STEPHEN SHORT'S FIRST
MOUNT VERNON CITY SCHOOL	)	SET OF INTERROGATORIES
DISTRICT BOARD OF EDUCATION, <i>et</i>	)	PROPOUNDED TO PLAINTIFF JOHN
<i>al.</i>	)	FRESHWATER
)	
Defendants.)	

Defendant Stephen Short (“Defendant”), pursuant to Civ. R. 33 propounds the following First Set of Interrogatories upon Plaintiff John Freshwater (“Plaintiff”). The following discovery is to be answered separately and fully, in writing and under oath and a copy thereof is to be served upon counsel for the Board within thirty (30) days of service thereof at the law offices of Britton, Smith, Peters & Kalail Co., L.P.A., Three Summit Park Drive, Suite 400, Cleveland, Ohio 44131.

I. INSTRUCTIONS

As required by law, your responses should supply documents not only in your possession, custody, or control, but also such documents that are available to all other persons acting on your

relationship to Plaintiff; or if such person is a student, then so state and give the name of the educational institution where such person is a student.

10. Whenever you are asked to "identify" a document, state the type of document, its author, its date, a general description of its contents, and the identity of its present or last known custodian.

11. "Communication" means any statement, question, command or interjection, whether made orally, visually or in writing or by mechanical or electronic device, and whether for internal or external use.

12. "Healthcare Professional" means any medical doctor, doctor of osteopathy, psychiatrist, psychologist, nurse, physician's assistant, therapist, social worker, dentist, or any other individual providing physical or mental treatment, consultation, therapy, diagnosis or assistance.

13. "Public Statement" means any statement made by you, or a person acting as your spokesperson, inclusive of your attorney(s), to the public through either print media, radio, television, or internet forums.

III. INTERROGATORIES

As to each of the numerated items requested, Plaintiff will supplement by Friday, June 25, 2010.

VERIFICATION

I, John Freshwater, being first duly sworn, deposes and states that the foregoing Answers to Defendant Mount Vernon City School District Board of Education's First Set of Interrogatories are true and accurate to the best of my belief and knowledge.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN FRESHWATER, <i>et al.</i>,	)	CASE NO. 2:09 cv 464
)	
Plaintiffs,	)	JUDGE FROST
	)	MAGISTRATE JUDGE KING
vs.)	
	)	DEFENDANT IAN WATSON'S FIRST
MOUNT VERNON CITY SCHOOL	)	SET OF INTERROGATORIES
DISTRICT BOARD OF EDUCATION, <i>et</i>	)	PROPOUNDED TO PLAINTIFF JOHN
<i>al.</i>	)	FRESHWATER
)	
Defendants.)	

Defendant Ian Watson (“Defendant”), pursuant to Civ. R. 33 propounds the following First Set of Interrogatories upon Plaintiff John Freshwater (“Plaintiff”). The following discovery is to be answered separately and fully, in writing and under oath and a copy thereof is to be served upon counsel for the Board within thirty (30) days of service thereof at the law offices of Britton, Smith, Peters & Kalail Co., L.P.A., Three Summit Park Drive, Suite 400, Cleveland, Ohio 44131.

I. INSTRUCTIONS

As required by law, your responses should supply documents not only in your possession, custody, or control, but also such documents that are available to all other persons acting on your

relationship to Plaintiff; or if such person is a student, then so state and give the name of the educational institution where such person is a student.

10. Whenever you are asked to "identify" a document, state the type of document, its author, its date, a general description of its contents, and the identity of its present or last known custodian.

11. "Communication" means any statement, question, command or interjection, whether made orally, visually or in writing or by mechanical or electronic device, and whether for internal or external use.

12. "Healthcare Professional" means any medical doctor, doctor of osteopathy, psychiatrist, psychologist, nurse, physician's assistant, therapist, social worker, dentist, or any other individual providing physical or mental treatment, consultation, therapy, diagnosis or assistance.

III. INTERROGATORIES

As to each of the numerated items requested, Plaintiff will supplement by Friday, June 25, 2010.

VERIFICATION

I, John Freshwater, being first duly sworn, deposes and states that the foregoing Answers to Defendant Mount Vernon City School District Board of Education's First Set of Interrogatories are true and accurate to the best of my belief and knowledge.

JOHN FRESHWATER

STATE OF OHIO

)
) SS:

COUNTY OF _____)

SWORN TO BEFORE ME and subscribed in my presence this ____ day of _____, 2010.

Notary Public

Respectfully submitted,

s/ R. Kelly Hamilton

The Law Office of R. Kelly Hamilton (0066403)

Office: 4030 Broadway, Grove City, Ohio 43123

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Email: hamiltonlaw@sbcglobal.net

Attorney for John Freshwater

CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2010, a copy of the foregoing was served to the following counsel via electronic mail and ordinary U.S. mail.

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*Counsel for Defendant Mount Vernon
City School District Board of Education*

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN FRESHWATER, <i>et al.</i>,	)	CASE NO. 2:09 cv 464
)	
Plaintiffs,	)	JUDGE FROST
	)	MAGISTRATE JUDGE KING
vs.)	
	)	DEFENDANT WILLIAM WHITE'S
MOUNT VERNON CITY SCHOOL DISTRICT BOARD OF EDUCATION, <i>et</i>	)	FIRST SET OF INTERROGATORIES
<i>al.</i>	)	PROPOUNDED TO PLAINTIFF JOHN
	)	FRESHWATER
Defendants.)	

Defendant William White (“Defendant”), pursuant to Civ. R. 33 propounds the following First Set of Interrogatories upon Plaintiff John Freshwater (“Plaintiff”). The following discovery is to be answered separately and fully, in writing and under oath and a copy thereof is to be served upon counsel for the Board within thirty (30) days of service thereof at the law offices of Britton, Smith, Peters & Kalail Co., L.P.A., Three Summit Park Drive, Suite 400, Cleveland, Ohio 44131.

I. INSTRUCTIONS

As required by law, your responses should supply documents not only in your possession, custody, or control, but also such documents that are available to all other persons acting on your

COUNTY OF _____)

SWORN TO BEFORE ME and subscribed in my presence this ____ day of

_____, 2010.

Notary Public

Respectfully submitted,

s/ R. Kelly Hamilton

The Law Office of R. Kelly Hamilton (0066403)

Office: 4030 Broadway, Grove City, Ohio 43123

Mail to: P.O. Box 824, Grove City, Ohio 43123

Phone 614-875-4174 Fax

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Attorney for John Freshwater

CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2010, a copy of the foregoing was served to the following counsel via electronic mail and ordinary U.S. mail.

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*Counsel for Defendant Mount Vernon
City School District Board of Education*

1.