

IN THE SUPERIOR COURT OF MUSCOGEE COUNTY
STATE OF GEORGIA

GREGORY D. COUNTRYMAN, SR.,)
individually and as Elected Marshal of)
Muscogee County, Georgia and,)
VIVIAN BISHOP, individually and as)
Elected Clerk of the Municipal Court of)
Columbus, Georgia,)

Plaintiffs,)

v.)

COLUMBUS, GEORGIA, TERESA P.)
TOMLINSON, individually and as Mayor,)
JERRY "POPS" BARNES, individually)
and as District 1 Councilor, GLENN)
DAVIS, individually and as District 2)
Councilor, BRUCE HUFF, individually)
and as District 3 Councilor, EVELYN)
TURNER PUGH, individually and as)
District 4 Councilor, MIKE BAKER,)
individually and as District 5 Councilor,)
GARY ALLEN, individually and as)
District 6 Councilor, EVELYN "MIMI")
WOODSON, individually and as)
District 7 Councilor, JUDY THOMAS,)
individually and as District 9 Councilor,)
and BERRY "SKIP" HENDERSON,)
individually and as District 10 Councilor,)
ISAAH HUGLEY, individually and as)
City Manager, PAMELA HODGE,)
individually and as Finance Director, and)
CLIFTON C. FAY, individually and as)
City Attorney,)

Defendants.)

CIVIL ACTION FILE NO. SU14CV3468-94

DEFENDANTS' REQUEST FOR PRODUCTION OF DOCUMENTS

COME NOW Defendants in the above-styled action, and pursuant to O.C.G.A. §9-11-34, *et seq.*, and the instruction of this Court, request Plaintiffs, Marshal Gregory D. Countryman

and Municipal Court Clerk Vivian Bishop, to produce for inspection and copying by Defendants all documents described hereinafter which are in the possession, custody, or control of Plaintiffs, their agents, servants, attorneys, representatives or employees. You are hereby requested to produce through submission of copies via email (unless otherwise expressly agreed) to counsel for Defendants, no later than May 27, 2015, the following documents and records:

INSTRUCTIONS AND DEFINITIONS

Throughout these Requests for Production, the following definitions and instructions will apply as if incorporated into each Request for Production separately.

- A. The term "Plaintiff" or any synonym thereof is intended and shall be taken to mean, in addition to Plaintiffs, GREGORY D. COUNTRYMAN and VIVIAN BISHOP, every agent, servant, investigator or other person who has obtained information known to Plaintiffs.
- B. The term "Defendant" or any synonym thereof is intended and shall be taken to mean, in addition to Defendants, every agent, servant, investigator or other person who has obtained information known to Defendants.
- C. "Document" or "documents" means every writing or record of every type and description that is in the possession, control or custody of Plaintiffs, including but without limitation the following, whether printed or recorded or reproduced by any other mechanical process, or written or recorded by hand, to wit: emails, correspondence, memoranda, stenographic or handwritten notices, studies, publications, books, pamphlets, pictures, films, voice recordings, transcriptions of voice recordings, reports, surveys, minutes, tests, telecopy, telex, statistical

compilations, data processing cards or computer records of tapes or printouts; every copy of such writing or record where the original is not in the possession, custody or control of Plaintiff; and every copy of every such writing or record where such copy contains any summaries or records of telephone conversations, summaries or records of personal conversations or interviews; diaries, reports, notebooks, summaries or records of meetings or conferences, summaries or reports of investigations or negotiations; opinions or reports of consultants; and any marginal comments appearing on any document.

- D. The terms "identify" and "describe" when used with reference to a document shall mean to: (1) state the type of document (e.g., memorandum, employment application, letter, etc.); (2) set forth its date; (3) identify the author (and if different), the originator and signer; (4) set forth the title, heading or other designation, numerical or otherwise, of the document; (5) set forth the present or last known location of the document and of each copy; (6) describe and set forth the substance of the document; (7) if any such document was, but no longer is, in your possession or subject to your control, state the disposition which was made of it, the reason for said disposition, and the date thereof; and (8) describe in detail the substance of the document.
- E. "Identify" or "describe" when used in reference to an oral communication means: (1) its date and the place where it occurred; (2) its substance; (3) the identity of each person to whom such communication was made, and (4) the identity of each person who was present when such communication was made.

F. "Communications" means any transmission of thoughts, opinions, or information by speech, writing or signs not compromising work product or other privileged attorney client communication.

DOCUMENTS TO BE PRODUCED

REQUEST FOR PRODUCTION NO. 1

Please produce for inspection any documents you contend were submitted to the Mayor, City Manager, or Finance Director relating to Plaintiffs' Fiscal Year 2015 and/or Fiscal Year 2016 budget requests that should have been, but were not, submitted to Columbus Council.

REQUEST FOR PRODUCTION NO. 2

Please provide a copy of the "budget requests" Plaintiffs contend were submitted to the City Manager, Finance Director or Mayor in Fiscal Year 2015 and/or Fiscal Year 2016, together with proof of transmission.

REQUEST FOR PRODUCTION NO. 3

Please provide a copy of the "budgets" Plaintiffs contend were submitted to the City Manager, Finance Director or Mayor in Fiscal Year 2015 or Fiscal Year 2016, together with proof of transmission.

REQUEST FOR PRODUCTION NO. 4

Please identify and provide any documentation, which authorizes, or has authorized, either Plaintiff to act in the role of a budget officer. Please also provide all letters, emails, memorandum or other documents which refer to or characterize either Plaintiff as a budget officer.

REQUEST FOR PRODUCTION NO. 5

Produce any and all documents in your possession which relate to the Plaintiffs' preparation for the Fiscal Year 2016 budget process.

REQUEST FOR PRODUCTION NO. 6

Please provide all documents, copies of media, social or otherwise, as well as all video or audio tape recordings, which Plaintiffs may submit or tender during the mandamus hearing set for June 3-4, 2015.

REQUEST FOR PRODUCTION NO. 7

Please produce for inspection all documents on which you rely in answering Defendants' Interrogatories to Plaintiffs and Defendants' Requests for Admissions to Plaintiffs.

REQUEST FOR PRODUCTION NO. 8

Please identify and produce for inspection any written, oral or email statements, audio, or video tape of recordings made by Plaintiffs, Defendants or any CCG employees, which Plaintiffs contend is related to or was made in connection with Plaintiffs' claims for mandamus relief.

REQUEST FOR PRODUCTION NO. 9

Provide copies of all traffic citations issued by the Marshal's office from January 1, 2010 until the present date.

REQUEST FOR PRODUCTION NO. 10

Identify and produce for inspection any and all studies regarding any alleged duplicative services referenced by Plaintiffs in ¶¶ 4 and 5 of Plaintiffs' Motion for Mandamus Relief.

Respectfully submitted this 13th day of May, 2015.

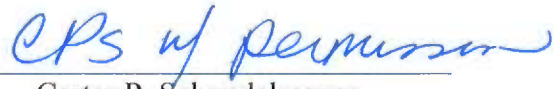
**HATCHER, STUBBS, LAND,
HOLLIS & ROTHSCHILD, LLP**

P.O. Box 2707
Columbus, GA 31902-2707
(706) 324-0201
mvs@hatcherstubbs.com

By: 
Melanie V. Slaton
Georgia Bar No. 539960

THE SCHONDELMAYER FIRM, L.L.C.

P.O. Box 5742
Columbus, GA 31906
(706) 464-5298
cschondelmayer@outlook.com

By: 
Carter P. Schondelmayer
Georgia Bar No. 558998

Attorneys for Defendants

CERTIFICATE OF SERVICE

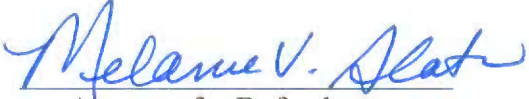
I hereby certify that I have this day served the foregoing **DEFENDANTS'**
REQUEST FOR PRODUCTION OF DOCUMENTS via electronic mail, per
agreement of counsel and the Court, addressed as follows:

Christopher D. Balch
Balch Law Group
1270 Caroline St., Suite D170-135
Atlanta, GA 30307
chris@balchlawgroup.com

Charles W. Miller
Charles W. Miller, P.C.
5734 Windsor Drive, Bldg. 6
Columbus, GA 31909
cmiller@cwmpc.com

Judge Hilton M. Fuller
32 Lullwater Estate Rd.
Atlanta, GA 30318
Hmfuller665@aol.com

This 13th day of May, 2015.


Attorney for Defendants