

IN THE CIRCUIT COURT OF THE FIRST  
JUDICIAL CIRCUIT, IN AND FOR  
ESCAMBIA COUNTY, FLORIDA

1108 ARIOLA LLC, *et al.*  
Plaintiffs

v.

CASE NO.: 2004 CA 002290  
DIVISION: J

CHRIS JONES, PROPERTY APPRAISER  
OF ESCAMBIA COUNTY, and  
JANET HOLLEY, TAX COLLECTOR  
OF ESCAMBIA COUNTY.  
Defendant

---

**DEFENDANTS' FIRST SET OF INTERROGATORIES  
TO INDIVIDUAL PLAINTIFFS IDENTIFIED IN THE COMPLAINT**

TO: Danny L. Kepner, Esq.  
Thomas J. Gilliam, Jr., Esq.  
Shell, Fleming, Davis & Menge, P.A.  
226 South Palafox Street, 9th Floor  
Pensacola, FL 32502  
Tallahassee, Florida 32302

Pursuant to Rule 1.340, Florida Rules of Civil Procedure, Defendant, CHRIS JONES, by and through his undersigned attorneys, propounds the following Interrogatories upon each Plaintiff identified in Paragraph 35 of the Complaint. According to Rule 1.340, these Interrogatories must be answered in writing, signed under oath, and returned to Defendant's counsel, Elliott Messer or Thomas Findley at Messer, Caparello & Self, P.A., Post Office Box 1876, Tallahassee, Florida 32302-1876, within thirty (30) days after service.

**INSTRUCTIONS AND DEFINITIONS**

1. "Defendant" refers to Chris Jones, Property Appraiser of Escambia County, Florida, and all agents, representatives and other persons acting or purporting to act on Defendant's behalf.

2. Unless otherwise specified, "Plaintiff" or "you" or "your" refers to each of the individuals whose property rights are derived from the instruments described in Paragraph 35 of the Complaint, unless specified otherwise. Interrogatory #2, however, is intended to request information pertaining to all Plaintiffs named in this lawsuit.

3. As used in these interrogatories, the terms "identify" or "identity" have the following meanings:

a. With regard to natural persons, "identify" means to state the person's name, last known employment, home address, business address, and telephone number;

b. With regard to entities which are not natural persons, "identify" means to state the name of the entity, type of entity (e.g., corporation, partnership, limited partnership, etc.), state of organization, and principal place of business address;

c. With regard to documents, "identify" means to specify the type of document (e.g., lease, sublease, contract, memorandum, letter, notes, directive, etc.), the date and number of pages of the document, and to identify all author(s) and recipient(s) of the document and all persons and entities having possession or the right to possession of the original(s) and/or copies.

4. Unless otherwise specified, "person" means and includes every natural person, corporation, partnership or other entity.

5. "Date" means the exact day, month, and year, if ascertainable, and if not, the best approximation, including any relationship in time to the occurrence of other events identified in the interrogatory or response thereto.

6. "Complaint" means the original Complaint filed in the above-styled action.

7. "Answer" means the Answer filed in response to the Complaint.

8. "Document" as used in these requests as the meaning set forth in Rule 1.350, Florida Rules of Civil Procedure, and also includes without limitation, all tangible things, whether handwritten, typed, printed or otherwise visually reproduced, taped, photographic or graphic matter, however produced or reproduced, originals, copies and drafts, including but not limited to any leases, subleases, applications, contracts, letters, notices, cables, wires, email, memoranda, interoffice or personal communications, telegrams, handbooks, manuals, reports, periodicals, notes (including any made during the review or preparation of work papers), statements, forecasts, summaries or transcripts of any telephone conversation or personal conversation or interview, work papers, diaries (formal or informal), business or personal calendars, personal files and notes, sketches, charts, assignments, agreements (including any modification or revision thereof), summaries of negotiations, press releases, photographs, motion pictures, computer inputs or outputs, microfilm, work assignments and any other writing including drafts, revisions or translations of any of the foregoing, within the possession or custody or under control of the Plaintiff or any agent or family member of the Plaintiff.

9. The "Subject Property" is defined to be the property assessed with respect to each named Plaintiff.

10. The "Real Property Improvements" are defined to be any and all improvements constructed upon the Subject Property at issue.

11. If you cannot answer any one or any subpart of the Interrogatories in full, after exercising due diligence to secure the information to do so, then explicitly so state.

12. With the answer to each interrogatory, please identify each person who assisted or provided information utilized in the answer, and specify the information each such person provided.

13. In answering each interrogatory, you are to provide all information known or available to you or to your agent(s) or attorney(s).

14. In the event that you assert the application of a legal privilege, please identify the author, addressee and date of such document and a general description thereof.

## INTERROGATORIES

1. What is the name, address and parcel number of the person answering these interrogatories, and, if applicable, the person's official position or relationship with the party to whom the interrogatories are directed?

2. With respect to each and every Plaintiff named in this lawsuit, specify the following information:

- A. Name
- B. Address
- C. Whether such person is a permanent resident of Florida.
- D. Whether such person has filed for a homestead exemption in Florida.
- E. The name of any condominium association in which such person is a member.
- F. The lease term and the lease renewal term specified in the controlling agreement.
- G. The remaining useful life of the Real Property Improvements for federal tax purposes.
- H. Whether such person paid intangible tax to the State of Florida in 2004, and if so, the amount.

3. With respect to your property, identify any and all declarations of condominium, leases, subleases, assignments, closing documents, purchase agreements or other documents through which you have attained the right to possess or control the Subject Property and/or the Real Property Improvements thereon.

4. Identify any and all tax returns filed by you, in which home mortgage interest was reported in connection with the Subject Property and/or the Real Property Improvements thereon; and all such returns in which depreciation was reported on the Subject Property and/or the Real Property Improvements thereon; and all such returns in which casualty losses were declared on the Subject Property and/or the Real Property Improvements thereon. Identify any and all statements received from financial institutions notifying you of the amount of home mortgage interest paid in connection with the financing of the Subject Property and/or the Real Property Improvements thereon.

5. State the amount of rent currently paid by you on the Subject Property. Identify any changes in the level of rent paid and the dates on which such changes were made, and any documentation reflecting such changes.

6. Specify whether you have rented the Subject Property and/or the Real Property Improvements thereon to any other party. Specify the relevant time periods, the identify of the parties to whom such property was rented (including address and phone number), and the amount of rent paid.

7. State the remaining useful life of the Real Property Improvements for federal tax purposes, as of January 1, 2004. Identify all documents, including but not limited to tax returns and depreciation schedules, supporting such figure.

8. Identify any and all instances in which the Subject Property and/or the Real Property Improvements thereon have been renovated or improved, and the dates and costs of such renovations or improvements, including improvements made prior to the time of the Plaintiff's lease or sublease, if known. Include the history of maintenance of the Subject Property and/or the Real Property Improvements thereon that has been undertaken by you.

9. Identify any and all contracts and other documents pertaining to any financing of the Subject Property and/or the Real Property Improvements thereon, including but not limited to, any mortgage documents, closing documents, and/or any other liens that exist on the Subject Property and/or the Real Property Improvements.

10. Identify any and all documents, including but not limited to loan applications, credit card applications, personal financial statements, other applications, surveys, registrations, or other materials, in which you have listed, mentioned or referenced your interest in the Subject Property, and/or the Real Property Improvements thereon, as an asset.

11. Identify any and all appraisals, valuations, and/or assessments regarding the Subject Property and/or the Real Property Improvements thereon.

12. Identify any and all correspondence between you and any governmental or administrative entity or authority, relating to the Subject Property and/or the Real Property Improvements thereon.

13. Identify any and all governmental or administrative ordinances, resolutions, minutes, restrictive covenants, directives, correspondence or other documents, relating to the use, lease, sublease or ownership of the Subject Property and/or the Real Property Improvements thereon.

14. Identify any and all insurance policies, applications for insurance, endorsements and/or other insurance documents or correspondence, relating to the Subject Property and/or the Real Property Improvements thereon. This request specifically includes, but is not limited to, any and all claims to insurers and responses thereto in connection with the Subject Property and/or the Real Property Improvements thereon.

15. Identify any and all instances in which any governmental entity or authority has made any payment for the construction, maintenance, insurance or repair of the Subject Property and/or the Real Property Improvements thereon. Identify any and all records or documents reflecting the payment of such sums by any governmental entity or authority.

16. Identify any and all employees or agents of governmental entities or authorities, county commissioners, county employees, city commissioners, or city employees with whom you or any representative or agent of you, has spoken or otherwise communicated, regarding the Subject Property and/or the Real Property Improvements thereon. This request includes any and all complaints made by you concerning the performance of county services.

17. Identify any person or entity, including but not limited to governmental personnel, lawyers, bankers, accountants, or consultants, who have rendered advice to you regarding the taxability or exempt status of the Subject Property and/or the Real Property Improvements thereon.

18. Identify any and all persons residing at the Subject Property, and/or the Real Property Improvements thereon, who have attended public schools in Escambia or Santa Rosa Counties. Specify the dates of such attendance, the schools attended, and the identity of each such person.

19. List the names, addresses and phone numbers of all persons believed or known by you, your agents or attorneys to have any knowledge concerning any of the issues in this lawsuit; and specify the subject matter about which the witness has knowledge.

20. Do you intend to call any expert witnesses at the trial of this case? If so, state as to each such witness the name, phone number and business address of the witness, the witness' qualifications as an expert, the subject matter upon which the witness is expected to testify, the substance of the facts and opinions to which the witness is expected to testify, and a summary of the grounds for each opinion.

21. Identify any and all Florida intangible tax returns that you have filed. Specify whether intangible tax has been paid in connection with the Plaintiff's interest in the Subject Property and/or the Real Property Improvements thereon. Specify any and all such payments, the amounts of such payments and the dates of such payments. Identify all documentation evidencing such payments.

22. Identify any and all Escambia County services that you have received or benefitted from over the term in which you have had a right of possession or control over the Subject Property and/or the Real Property Improvements thereon.

23. Identify any and all instances in which you have made a claim to a governmental entity in connection with storm damage. Identify all correspondence and other documentation pertaining to such claim and the responses by the governmental entity.

I HEREBY CERTIFY that the answers to the foregoing Interrogatories are true and correct to the best of my knowledge.

\_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2005, by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification and who took an oath.

\_\_\_\_\_  
NOTARY PUBLIC  
Typed or Printed Name:  
My Commission Expires: