

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR COLLIER COUNTY, FLORIDA
CIVIL ACTION

IN RE: THE MATTER OF:

DAVID WOODALL,
Petitioner/Husband,

CASE NO. 16-DR-1742

and,

DANAE WOODALL
Respondent/Wife.

HUSBAND'S RESPONSE TO WIFE'S REQUEST FOR PRODUCTION TO WIFE
DATED FEBRUARY 23, 2017

NOW COMES, the Husband, DAVID WOODALL, by and through his undersigned attorney, and in response to the Wife's Request for Production to Husband, bearing certificate of service dated February 23, 2017, states as follows:

DOCUMENTS PRODUCED

1. Mandatory Disclosure. All documents required pursuant to Florida Family Law Rule 12.285(d).

Response: The Husband has previously provided records for the time frame required to satisfy Mandatory Disclosure on August 29, 2016.

2. Estimated Taxes. All Income Tax records, including estimated tax returns, W-2, 1099, and K-1 forms, payroll stubs, and all other evidence of income since the filing of your last tax return.

Response: The Husband will be providing the following documents at a later date:

a) W-2 for 2016.

b) The Husband has not yet filed his 2015 Individual Federal Tax Return and will provide same upon doing so.

3. Income and Intangible Tax Returns. Personal, corporate, partnership, joint ventures, or other income tax returns, Florida individual intangible tax returns, state and federal, Florida fiduciary intangible tax returns, including W-2, 1099, and K-I forms. in your possession or control for the past three (3) years from the filing of this Request to Produce.

Response: No such documents exist.

4. Personal Property Tax Returns. All personal property tax returns filed in Florida or anywhere else for the past three (3) years from the filing of the Request to Produce.

Response: No such documents exist.

5. Banking Information. All monthly bank statements, passbooks, check stubs or registers, deposit slips, canceled checks, and bank charge notices on personal and business accounts, certificates of deposit, money management and retirement accounts, in your possession or control, from banks, savings and loan institutions, credit unions, or other institutions, which have been at any time or are maintained for or by you, individually, jointly, or as a trustee or guardian, and in which you sign or have had any legal or equitable interest for the past three (3) years from the filing of this Request to Produce.

Response: The Husband will be providing the following documents at a later date:

a) E*Trade Bank Savings Acct xx2083 Statements dated December 1, 2015 to present.

b) E*Trade Bank Giving Acct xx1430 Statements dated December 1, 2015 to present.

c) E*Trade Bank Bills Acct xx9481 Statements dated December 1, 2015 to present.

d) Simple Finance Technology Corp Checking Acct xx4378
Statements dated December 1, 2015 to present.

The Husband hereby objects as providing documentation older than December 1, 2015 for this request is irrelevant and not likely to lead to admissible evidence, overbroad, oppressive, unduly burdensome and is sought solely for purposes of harassment, embarrassment and annoyance.

6. Financial Statements. All financial statements which have been submitted to banks, lending institutions, or any other persons or entities, which were prepared by you or on your behalf at any time for the past three (3) years from the filing of this Request to Produce.

Response: No such documents exist.

7. Loan Applications. All loan applications, and statements of loan accounts for all loans applied for, whether approved or not, for the past three (3) years from the filing of this Request to Produce.

Response: The Husband hereby objects to this request as it is irrelevant and not likely to lead to admissible evidence, overbroad, oppressive, unduly burdensome and is sought solely for purposes of harassment, embarrassment and annoyance.

8. Broker's Statements. All statements of account from securities and commodities dealers and mutual funds maintained and received by you for the past three (3) years from the filing of this Request to Produce, and held individually, jointly, or as a trustee or guardian.

Response: No such documents exist.

9. Stocks, Bonds and Mutual Funds. Certificates, held individually, jointly, or as a trustee or guardian, including any stock brokerage accounts maintained, and

statements received for the past three (3) years from the filing of this Request to Produce.

Response: **No such documents exist.**

10. Stock Options. All records pertaining to stock options held in any corporation or other entity, exercised or not exercised.

Response: **No such documents exist.**

11. Pension, Profit Sharing, Deferred Compensation Agreements, and Retirement Plans. All documents concerning Pension Plans, Profit Sharing Plans, Deferred Compensation Agreements, Retirement Plans, or any other kind of plan owned by you or by any corporation in which you are or have been a participant for the past three (3) years from the filing of this Request to Produce.

Response: **No such documents exist.**

12. Wills and Trust Agreements. All Wills and Trust Agreements executed by you or in which you have a present or contingent interest, in which you are named a beneficiary, trustee, executor, or guardian, and from which benefits have been received, are being received, or will be received, and which are or were in existence for the past three (3) years from the filing of this Request to Produce. All records of Declaration of Trust and Minute Books for all trusts to which you are a party, including the certificates, if any, indicating such interest and copies of all statements, receipts, disbursements, investments, and other transactions.

Response: **No such documents exist.**

13. Life Insurance. All life insurance policies or certificates of life insurance currently in existence, insuring your life or the life of any other person, in which you are named as either primary or contingent beneficiary, including any disability insurance currently in existence.

Response: **No such documents exist.**

14. General Insurance. All insurance policies, including but not limited to annuities, accident, casualty, motor vehicles of any kind, property liability, including contents insurance, in which you are or have been named the insured for the past three (3) years from the filing of this Request to Produce.

Response: No such documents exist.

15. Outstanding Debts. All documents reflecting all debts owed to you, secured or unsecured, including personal loans and lawsuits now pending or previously filed in any court, showing the name of the debtor and/or creditors, the date each debt was incurred, the total amount of the debt, and the unpaid balance.

Response: The Husband provided the following documents under item 13 of his Certificate of Compliance with Mandatory Disclosure dated August 29, 2016. The Husband will be providing the following supplemental documents at a later date:

- a) Bank of America Credit Card Acct xx5415 Statements dated September 7, 2016 to present.
- b) Fedloan Serving Student Loan Acct xx0903 Statement indicating present outstanding balance.
- c) Visa Credit Card Acct xx1846 Statements dated September 2016 to present.
- d) Citi Credit Card Acct xx9899 Statements dated September 2016 to present.
- e) Chase Credit Card Acct xx7528 Statements dated September 2016 to present.
- f) Lending Club Acct xx481 September 2016 to present.

16. Accounts Payable and Receivable. All ledgers in your possession and control that are either personally or business related, together with all accounts and journals.

Response: No such documents exist.

17. Financial Documents. Cash receipt books, calendars of events, retainer contracts with attorneys, evidence of budgets, cash projections, and other financial documents in your possession. This applies to all such items in existence for the past three (3) years from the filing of this Request to Produce.

Response: The Husband hereby objects to this request as it is irrelevant and not likely to lead to admissible evidence, overbroad, oppressive, unduly burdensome and is sought solely for purposes of harassment, embarrassment and annoyance.

18. Real Property. All deeds, closing statements, tax bills, appraisals, mortgages, securing agreements, leases, and any other evidence (including monthly payments and present principal and interest balances) evidencing any type of interest or ownership, whether as owner, co-owner, fiduciary, trust beneficiary, (vested or contingent), partner, limited partner, shareholder, joint venture, mortgagee, developer, manager, or otherwise, for the past three (3) years from the filing of this Request to Produce; together with evidence of all contributions, in cash or otherwise, made by you or on your behalf toward the acquisition of such real estate for the past three (3) years from the filing of this Request to Produce.

Response: No such documents exist.

19. Sale and Option Agreements. All sale and option agreements on any real estate owned by you either individually, through another person or entity, jointly, or as trustee or guardian.

Response: No such documents exist.

20. Personal Property. All documents, invoices, contracts, and appraisals on all personal property. including furniture, fixtures, furnishings, equipment, antiques, and any type of collection, owned by you individually, jointly, as trustee or guardian, or through any other person or entity for the past three (3) years from the

filing of this Request to Produce, together with the amount of their respective liens.

Response: These items are currently in storage and the goods are minimal in value.

21. Firearms. Registrations issued or pending, receipts of governmental registration documents of firearms owned, possessed, or controlled by you for the past three (3) years from the filing of this Request to Produce.

Response: The Husband will provide registrations for firearms at a later date.

22. Motor Vehicles. All purchase orders, contracts, financing agreements, invoices, appraisals, lease agreements, registrations, and payment books, as well as titles to all motor vehicles owned by you, individually or jointly, for the past three (3) years from the filing of this Request to Produce, including airplanes, boats, automobiles, or any other type of motor vehicle.

Response: The Husband has previously provided records for the time frame required to satisfy his Mandatory Disclosure on August 29, 2016.

23. Corporate Interests. All records indicating any kind of personal interest in any corporation (foreign or domestic) or any other entities not evidenced by certificates or other instruments.

Response: No such documents exist.

24. Partnership and Joint Venture Agreements. All partnership agreements or joint venture agreements to which you have been a party for the past three (3) years from the filing of this Request to Produce.

Response: No such documents exist.

25. Employment Records. All employment records during the term of the marriage showing evidence of wages, salaries, bonuses, commissions, raises, promotions, expense accounts, and other benefits or deductions of any kind which were, are, or may be paid, available, credited, or withheld for any purpose by any individual or entity, or to which you were, are, or may become entitled to in the future.

Response: No such documents exist.

26. Fringe Benefits. All records evidencing any benefits available to you from any business entity in which you have a legal or equitable ownership interest including, without limitation to, auto, travel, entertainment, educational expenses, and personal living expenses.

Response: No such documents exist.

27. Employment Contracts. All employment contracts under which you are performing services and/or rendering merchandise or materials, or under which someone is indebted to you for services and/or merchandise and materials already furnished. for the past three (3) years from the filing of this Request to Produce, including a list or description of any oral contracts.

Response: The Husband will providing the following documents at a later date:

a) Employment Contract

28. Business Records. If you are self-employed, a partner, or own more than ten percent (10%) of the outstanding capital stock of any corporation, please produce the documents requested in paragraphs 3,5, 6, 7, 8, 9, 11, 14, 15, 16, 17, 18, 19, 22, and 24.

Response: No such documents exist.

29. Charge Accounts. All charge accounts controlled or authorized for your personal or business use, including all statements and receipts received by you in

connection with the use of such charge accounts, together with a list of those businesses where you are or have been authorized to charge purchases to the account of another person or entity, for the past three (3) years from the filing of this Request to Produce.

Response: **No such documents exist.**

30. Memberships. All membership cards or documents identifying participation rights in any country clubs, key clubs, private clubs, associations, or fraternal group organizations for the past three (3) years from the filing of this Request to Produce together with all monthly statements for any fees associated therewith.

Response: **No such documents exist.**

31. Judgments. Any judgments and pleadings in which you have been a party to, either as a Plaintiff or Defendant, for the past three (3) years from the filing of this Request to Produce.

Response: **No such documents exist.**

32. Gifts. All records pertaining to gifts of any kind made to you or by you to any person or entity together with all records in connection with the transfer of personal property by sale, gift, or otherwise, for the past three (3) years from the filing of this Request to Produce.

Response: **No such documents exist.**

33. Charitable Contributions. All receipts, canceled checks, or other tangible evidence of charitable donations made by you.

Response: **No such documents exist.**

34. Medical Bills. All medical bills, prescriptions, evaluation reports, or diagnosis for medical or psychiatric treatment received for the past three (3) years from the filing of this Request to Produce.

Response: The Husband hereby objects to this request as it is irrelevant and not likely to lead to admissible evidence, overbroad, oppressive, unduly burdensome and is sought solely for purposes of harassment, embarrassment and annoyance. Furthermore, the information requested is privileged information

35. Documents Referred to in Interrogatories. Any and all documents listed, identified, used, relied upon, or referred to in your answers to interrogatories.

Response: No such documents exist.

36. Experts' Materials. Any and all reports, notes, memoranda, correspondence, or materials used by, referred to, or provided by any expert retained by you in the last three (3) years.

Response: No such documents exist.

37. Investigations. Any materials obtained by surveillance, wiretap, or investigation, including but not limited to photographs, videotape, audio tape, notes, memoranda, reports, or other physical objects.

Response: The Husband hereby objects to this request as it is irrelevant and not likely to lead to admissible evidence, overbroad, oppressive, unduly burdensome and is sought solely for purposes of harassment, embarrassment and annoyance. Furthermore, any material subject to this request exists, it would be privileged work product until it is determined that same will be used as evidence in the matter.

38. All invoices, statements, bills, proof of payment for any and all attorney's fees and costs with respect to this matter.

Response: The Husband hereby objects as invoices and statements contain sensitive notes on the case that are considered attorney/client privilege. Furthermore, the Husband hereby objects to this request as it is irrelevant and not likely to lead to admissible evidence, overbroad,

oppressive, unduly burdensome and is sought solely for purposes of harassment, embarrassment and annoyance.

39. All documents and tangible evidence supporting the producing party's claim of special equity or nonmarital status of an asset or debt for the time period from the date of acquisition of the asset or debt to the date of production or from the date of marriage, if based on premarital acquisition.

Response: No such documents exist.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been provided by E- Mail/ Clerk's E-Filing Portal this 30th day of March, 2017, to Attorney for the Wife, Cary A. Cliff, Esq. via email at ccliff@caclawfirm.com.

Respectfully submitted,

Long & Alguadich PLLC
Attorney for Petitioner/Husband
5185 Castello Drive
Suite 2
Naples, Florida 34103
(239) 316-1600



BY: _____
Albert L. Alguadich, Esq.
Florida Bar No. 0098438