

TESTA & PAGNANELLI, LLC
Maria N. Testa Esq, Atty. I.D. 209786
E-mail: maria@tpfamilylaw.com
325 Swede Street, Suite 201
Norristown, PA 19401
P: 610.239.1000
F: 215.814.8998

Attorney for Defendant,
Stephen Boerner

MELISSA BEMER	:COURT OF COMMON PLEAS
	:DELAWARE COUNTY, PA
	:
v.	:FAMILY COURT DIVISION
STEPHEN BOERNER	:IN DIVORCE
	:NO. 2024-007234

REQUEST FOR PRODUCTION OF DOCUMENTS DIRECTED TOWARDS
PLAINTIFF, MELISSA BEMER

To: **MELISSA BEMER**
c/o Carolyn R. Mirabile, Esquire
700 American Avenue, Suite 206
King of Prussia, PA 19406

You are hereby notified that, in accordance with Pa.R.Civ.P. 4001 et seq., you are requested to produce the originals or clear, readable copies of the below listed documents and/or items. These documents and/or items will be examined and/or photocopied; photograph negatives will be processed and photographs produced, videotapes and audiotapes shall be viewed and/or heard and a copy made.

Please return a completed copy of the Request for Production of Documents to Maria N. Testa, Esquire, Testa & Pagnanelli, LLC, 325 Swede Street, Suite 201, Norristown, PA 19401 or by fax to 215-814-8998 or by e-mail to maria@tpfamilylaw.com on or before December 11, 2024.

DEFINITIONS AND INSTRUCTIONS

- A. “You” or “your” refers to Defendant herein.
- B. “Communications” shall mean all inquiries, discussion, conversations, negotiations, agreements, understandings, meetings, telephone conversations, letters, correspondence, notes, telegrams, telexes, advertisements, facsimiles, e-mail, or other forms of verbal and/or communicative intercourse.

- C. "Documents" shall mean all written or graphic matter of every kind or description, however, produced or reproduced, whether draft or final, original or reproduction signed or unsigned, and regardless of whether approved, signed sent, received, redrafted, or executed including but not limited to: written communications, letters, correspondence, facsimiles, e-mail, memoranda, bills, receipts, books, checkbooks, invoices, requisitions or material similar to any of the foregoing however denominated, by whomever prepared, and to whomever addressed, which are in your possession, custody, or control or to which you have had or can obtain access.
- D. Unless otherwise noted, the relevant time period of this document request is from on or about January 1, 2022 to the present.

REQUESTS

1. Copies of your federal and state individual/joint personal income tax returns, and any amendments thereto, including W-2 forms, 1099s and all attached schedules filed by you or jointly with another individual for 2022 to present.

PROVIDED

- **Joint 2022 Federal Income Tax Return**
- **Joint 2022 Missouri Individual Income Tax Return**
- **Joint Pennsylvania Tax Return**
- **Husband's 2022 City of Philadelphia Business Income and Receipts**
- **Husband's 2022 City of Bethlehem & Bethlehem Area School District Business Privilege and Mercantile Tax Return for Hatch House Ventures, LLC Stephen J. Boerner**
- **Husband's 2022 City of Bethlehem & Bethlehem Area School District Business Privilege and Mercantile Tax Return for Hatch Lab LLC DBA Helium IQ**
- **Husband's 2022 W2 for Payit, LLC**
- **Husband's 2022 1099 with Pubtrawlr, LLC**
- **Husband's 1099-SA with Avidia Bank**
- **Husband's 2022 Morgan Stanley 1099**
- **Wife's 2022 W2s for The Graham Company and Pennsylvania Hospital**
- **Wife's 2022 1095-C**
- **Husband's 2022 1095-C**
- **2022 Mortgage Interest Statement Form 1098 for 1st Colonial Community Bank**
- **2022 Mortgage Interest Statement Form 1098 for Wells Fargo**
- **Schedules submitted by Husband for 2022 Tax Returns; Utilities Listing for Properties, Consulting Expenses, HOA Dues and**

**Payment, Goodville Mutual Casualty Homeowners Payments, and
2022 Office Renovations**

- **Wife's 2023 Federal Income Tax Return**
- **Wife's 2023 PA Income Tax Return**
- **Wife's 2023 W2s for The Graham Company and Pennsylvania Hospital**
- **Wife's 2022 1095-C**
- **2023 Mortgage Interest Statement Form 1098 for Mr. Cooper**
- **2023 Mortgage Interest Statement Form 1098 for Wells Fargo**
- **Wife's Fidelity 2023 Form 5498**

2. Copies of any and all business and/or partnership tax returns from businesses you have, had or may have any ownership interest from 2022 until present.

See responses to Question #1

3. True and correct copies of your income and earnings records from any sources of income, including but not limited to payroll stubs or wage statements, any and all commission statements issued by any employer, any and all 1099s issued by any person and/or entity for which you have performed services from January 1, 2022 to present.

PROVIDED

- **Says "See attached Responses to #1."**
- **Wife's UPHS Paystubs dated January 14, 2022 to December 30, 2022**
- **Wife's TGC Paystubs dated 2022/2023**
- **Wife's TGH/Florida Health Science Center Paystubs for 2024 (excel only)**
- **Wife's UPHS Payroll Paystubs dated January 13, 2023 to November 3, 2023**
- **UPHS Paystub dated December 27, 2024.**

MISSING

Actual paystubs for Florida Health Sciences Center

4. A true and correct copy of the annual form issued by the Social Security Administration to you reflecting your income and payments made to Social Security during your history of employment. If not in your possession, please request from

www.ssa.gov.

a. Provided

5. True and correct copies of any and all monthly bank statements including cancelled checks, check registries and/or stubs and deposit slips issued by any bank, savings institution, or other financial institution in which you have, had or may have any interest in and/or is in your name, individually or jointly with another person and/or entity, from January 1, 2022 to present.

PROVIDED

- **Wife's PNC Virtual Wallet Account #4225 Statements dated August 19, 2024 through October 31, 2024**
- **Joint PNC Performance Checking Account #3279 Statements dated December 16, 2023 through May 16, 2024 and June 18, 2024 to August 16, 2024**
- **Wife's PNC Virtual Wallet Account #4209 Statements dated August 19, 2024 through November 8, 2024**
- **Wife's Santander Accounts #7447 and #6182 Statements dated December 5, 2021 through September 30, 2024**

6. True and correct copies of any and all loan applications and/or loan documents pertaining to any sums of money borrowed or to be borrowed by you individually or jointly with another person, or as a grantor from January 1, 2022 to present.

PROVIDED

- **Wells Fargo Mortgage #4695 Statements dated November 1, 2022, December 1, 2022, February 1, 2023, and March 1, 2023**
- **Mr. Cooper Mortgage #5894 Statement dated August 8, 2024**
- **EdFinancial Services Loan Details dated November 12, 2024 and Account History for May 26, 2020 through August 25, 2024**

MISSING

- **Mortgage statements from 2022 to present**
 - **Except for 11.22, 12.22, 2.23, 3.23 and 8.24**
 - *******mortgage jointly titled**

7. True and correct copies of any and all lease applications and/or lease documents pertaining to any lease for which you have applied and/or received, individually or jointly with another person or as guarantor from January 1, 2022 to present.

“See attached lease dated August 22, 2023”

8. True and correct copies of any and all monthly statements and/or billing statements for the car lease or loan payment relative to the vehicle(s) you currently operate along

with documentation showing payment for same from January 1, 2022 to present, including but not limited to payment stubs, cancelled checks, check registrars, credit card receipts or any documents evidencing payment of same.

“I do not have car lease or loan”

9. Any and all documentation evidencing the source of funds for any and all deposits into any account which you have, had or may have any interest from January 1, 2022 to present.

“See attached paystubs and tax returns”

10. True and correct copies of any and all monthly credit card statements and other charge account statements (including but not limited to MasterCard, Visa, American Express, Discover, department store cards, oil and gas companies, etc.) and supporting documentation of any and all accounts which are in your name individually or jointly with another person from January 1, 2022 to present.

“I do not have any credit cards”

11. A completed Income and Expense Statement (attached hereto as “Exhibit A”) reflecting the monthly income and expenses you incur.

“See attached”

*****MISSING FIRST 5 PAGES OF STATEMENT**

12. Any and all documentation related to the monthly mortgage payment and/or monthly rent for the residence in which you currently reside or have resided, and/or for any property you have an interest in from January 1, 2022 to present, including but not limited to cancelled checks, credit card receipts, check registers, etc.

“See attached Mortgage statements and mortgage interest statements”

13. Any and all documentation evidencing any and all rental income, and/or payment of the mortgage secured by the residence in which you currently reside by any third party, and/or payment of any of the utilities or debt associated with the home in which you reside by any third party, including but not limited to copies of checks received and/or paid, copies of bank records evidencing deposits of same and/or any and all other documentation evidencing same, as well as the name of any third party having paid same and/or living in the home in which you reside from January 1, 2022 to present.

“See attached tax returns and attached lease document”

14. Any and all documents evidencing tax-free income received by you at any time from January 1, 2022 to the present.

“There are no documents evidencing tax-free income received by Wife January 1, 2022 to present”

15. Any and all documentation evidencing any benefits, including but not limited to, any severance and/or incentive paid and/or offered to you from your past employer from January 1, 2022 to present.

“There are no documents evidencing any benefits including but not limited to any severance and/or incentive paid and/or offered to Wife from a past employer from January 1, 2022 to present”

16. Any and all life insurance policies, statements of cash value thereof and beneficiary designations from January 1, 2022 to present.

PROVIDED

- **MassMutual Policy #6905 Statement dated December 5, 2023 and Online Statement.**

17. Any and all statements related to any investment and/or retirement account held by you, including but not limited to pension plan, profit sharing plan, 401(k), IRA, money market account, 403(b), showing the beginning balance of the account, the balance as of present or the closing of the account. Please provide statements for the preceding three (3) years.

PROVIDED

- **UPHS Retirement Contribution Savings Statements dated July 1, 2019 through July 31, 2019, January 1, 2022 through November 19, 2024, and July 1, 2024 through July 31, 2024.**
- **UPHS 403(b) Savings Statements dated July 1, 2019 through July 31, 2019, January 1, 2022 through November 19, 2024, and July 1, 2024 through July 31, 2024**
Vanguard Rollover Form dated January 4, 2019 for University of Penn Health Systems

MISSING

Quarterly statements for last 3 years

18. List of all assets owned by you individually or jointly with another person/entity (and list the joint owner) currently and any assets in which you held an interest since January 1, 2022.

- a. If you no longer possess an asset, provide any and all documentation relating to the sale, transfer and/ liquidation of same.

Condo, Retirement Assets, Bank Accounts. Wife reserves the right after discovery is completed to update the list of assets.

19. List of all assets owned by a corporation, partnership, limited partnership, family partnership, or other business entity in which you have, had or may have an interest in from January 1, 2022 to present and any assets in which you, through one of said business entities, held an interest in from January 1, 2022 to present which your or the business entity no longer possess.

“See attached tax returns”

20. Copies of all corporate records, including, but not limited to, accounts payable, accounts receivable, cash records, profit and loss statements, financial statements, monthly bank statements, monthly credit card statements, names of all employees, payroll reports for all employees and owners, leasing or financing agreements (equipment, including vehicles, real property, etc.), purchase documents, loan statements, certificate of organization and operating agreement, and related documents of copies of the articles of incorporation from January 1, 2022 to present for any and all corporations you have, had or may have an interest in.

“I do not have any corporate records from January 1, 2022 to present”

21. Copies of any and all business credit card statements from January 1, 2022 to present.

“I do not have any business credit card statements from January 1, 2022 to present”

22. All financial statements prepared by you or on your behalf from January 1, 2022 to present.

“I do not have any financial statements prepared by me or on my behalf from January 1, 2022 to present.”

23. True and correct copies of any and all documentation evidencing the health, dental and vision care insurance covering you, your spouse and/or your child(ren) at any time from January 1, 2022 to present, including but not limited to any and all notices of cancellation of such coverage and communications relating to and/or referring to any such coverage and/or the cancellation and/or termination of same as well as documentation evidencing the cost associated with the coverage available and/or provided.

PROVIDED

- **2022 and 2023 1095-C evidencing health, dental, and vision care insurance from January, 2022 to present.**

24. Any and all documentation regarding any loans made by you or to you from January 1, 2022 to present.

“I do not have any documentation regarding any loans from January 1, 2022 to present”

25. Appraisal of any real or personal property in which you have or had an interest, individually or jointly with another person and/or entity.

“I do not have any appraisal of any real or personal property”

26. Any and all agreements of sale, settlement sheets and other documentation relating to the purchase, sale or refinancing of real property or business for which you have or had an interest in, individually or together with another person and/or entity, from January 1, 2022 to present.

PROVIDED

- **ALTA Statement dated April 15, 2022**
- **Seller’s Property Disclosure dated July 18, 2024**
- **Seller’s Property Disclosure Statement Addendum dated July 20, 2024**
- **Change to Listing Contract dated August 19, 2024**
- **Change to Listing Contract dated December 5, 2024.**

27. Copies of the titles from any and all real property owned or leased by you, individually or jointly with another person from January 1, 2022 to present.

“see attached deed dated 4.15.22”

28. Copies of any and all lease agreements for any and all properties owned by you, individually and/or together with another person and/or entity from January 1, 2022 to present.

“See attached lease agreement for the condo”

29. Documentation of any and all rental income received by you and/or any business in which you have, had or may have an interest in from January 1, 2022 to present.

“I do not have any documents of rental income received besides the lease for the Condo”

30. True and correct copies of Quicken records (or equivalent program) and/or check register for any entity in which you own and/or have owned an interest from January 1, 2022 to present.

“I do not have Quicken records or check register”

NOTE: FOR PURPOSES OF THIS REQUEST FOR PRODUCTION OF DOCUMENTS, “DOCUMENT,” “DOCUMENTATION,” “RECORD,” “FILE,” AND “REPORT” ALL REFER TO AND CONTEMPLATE ALL WRITTEN, RECORDED, OR GRAPHIC INFORMATION, WHETHER PRESERVED IN WRITING, ON MAGNETIC TAPE, BY ELECTRONIC MEANS, IN PHOTOGRAPHIC FORM, OR MICROFILE OR MICROFICHE, COMPUTER DISC, WEBSITE OR BY ANY OTHER MEANS OF INFORMATION RETRIEVAL OR STORAGE.

DATE:

Maria N. Testa, Esquire
Attorney for Defendant