

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

JAMES TRACY,)	
)	
Plaintiff,)	
)	Case No. 9:16-cv-80655-RLR-JMH
v.)	
)	
FLORIDA ATLANTIC UNIVERSITY)	
BOARD OF TRUSTEES, a/k/a FLORIDA)	
ATLANTIC UNIVERSITY, et al.)	
)	
)	
Defendants.)	

**PLAINTIFF’S RESPONSES AND OBJECTIONS TO DEFENDANT
UNITED FACULTY OF FLORIDA’S REQUESTS FOR PRODUCTION**

Comes now Plaintiff, JAMES TRACY, by and through the undersigned counsel and pursuant to Rule 34 of the Federal Rules of Civil Procedure, hereby responds to Defendant United Faculty of Florida’s First Request for Production as follows:

GENERAL OBJECTIONS

1. Plaintiff objects to each request to the extent that it seeks information and/or documents beyond that which is permitted by the Florida Rules of Civil Procedure.
2. Plaintiff objects to each request to the extent that it calls for information and/or documents that were prepared for or in anticipation of litigation, that constitute attorney work product, that contain attorney-client communications, or that are otherwise subject to a privilege.
3. Plaintiff objects to each request to the extent that it calls for information and/or documents that is proprietary and/or confidential in nature to Defendant.
4. To the extent that a request calls for “any” documents and/or evidence without stating with particularity the document(s) or category of documents it seeks, object to such

request on the grounds that the request is vague, overbroad, and unduly burdensome, and on the ground that it is impossible for Defendant to respond to the request in good faith.

5. Plaintiff objects to each request to the extent that it is overbroad or seeks information and/or documents that are neither relevant to the matter in controversy nor reasonably calculated to lead to the discovery of relevant or admissible evidence.

6. Plaintiff objects to each request to the extent that it imposes undue burden, hardship, oppression, and expense upon Defendant.

7. Plaintiff objects to each request to the extent that it seeks documents that were already produced to Defendant by the Plaintiff, were produced to Plaintiff by the Defendant, or are already in the possession, custody, or control of the Plaintiff.

8. Plaintiff objects to each request to the extent that it seeks information that is already known to Plaintiff or its counsel, or already in the possession, custody, or that can be obtained from some other source that is more convenient to Plaintiff, less burdensome to the Defendant, and less expensive for both parties.

These responses and objections are based upon information known to Plaintiff. Plaintiff's investigation of the facts and preparation for trial is incomplete. Plaintiff reserves the right to supplement, amend, and/or correct all or any part of the responses provided herein without waiver of any of the foregoing objections. Plaintiff asserts each of these general objections to each of the requests herein. The failure to assert a general objection or the assertion of a specific objection in response to a particular request does not constitute a waiver of any general objection. As discovery is ongoing, the Plaintiff's response to any of these requests should not be construed to limit the Plaintiff's basis for any relief sought.

RESPONSES AND OBJECTIONS

Subject to and without waiving the above general objections, Plaintiff responds to the individual requests as follows:

- 1. Any notes, memoranda, correspondence, or documentation of any kind pertaining to the telephone conversations relevant to the allegations in Plaintiff's Complaint including but not limited to those referenced in paragraphs 110, 116, and 149 of the Second Amended Complaint.**

Plaintiff objects to this request to the extent that it seeks documents that have been publicly filed and are readily available to the Defendant, were already produced to the Defendant, or are already in the possession, custody, or control of the Defendant, including but not limited to exhibits to the Plaintiff's pleadings, Defendants' pleadings and federal statutes. Subject to and without waiving the foregoing and general objections, Plaintiff has no additional documents responsive to this request.

- 2. Any documents that support Plaintiff's allegation that the Union Defendants conspired to violate Plaintiff's right to civil rights.**

Plaintiff objects to this request to the extent that it seeks documents that have been publicly filed and are readily available to the Defendant, were already produced to the Defendant, or are already in the possession, custody, or control of the Defendant, including but not limited to exhibits to the Plaintiff's pleadings, Defendants' pleadings and federal statutes. Subject to and without waiving the foregoing and general objections, Plaintiff has no additional documents responsive to this request.

Dated: March 16, 2017

/s/ Louis Leo IV
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 16, 2017, I electronically sent the foregoing document by email to all counsel of record listed below.

By: /s/ Louis Leo IV
Louis Leo IV, Esq.

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