

STATE OF INDIANA)
) SS:
COUNTY OF KOSCIUSKO) CAUSE NO. 43C01-1511-MI-270

ROBERT H. STINE AND)
MOLLY MCGINNIS STINE)
)
 Plaintiffs,)
 v.)
)
EPWORTH FOREST ADMINISTRATION)
COMMITTEE, INC.,)
)
 Defendant.)

PLAINTIFFS' FIRST SET OF INTERROGATORIES TO DEFENDANT

Plaintiffs, Robert H. Stine and Molly McGinnis Stine, by counsel, pursuant to Ind. Trial Rules 26 and 33, serves upon Defendant, Epworth Forest Administration Committee, Inc., a First Set of Interrogatories, to be answered under oath, and otherwise complied with, within 30 days from the date of service.

INSTRUCTIONS

In answering these interrogatories, furnish all information, including hearsay, that is available to you, and information known by or in possession of you, your agents, or your attorneys, or appearing in your records. If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, so state and answer to the extent possible, specifying your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information. These interrogatories shall be deemed to be continuing until and during the course of a trial on this matter. Information sought by these interrogatories and that you obtain after you serve your answers must be disclosed to Plaintiff by supplemental response.

DEFINITIONS

1. "Describe" means to specify in detail and to particularize the content of the response to the question and not simply to state the reply in summary or outline fashion.

2. "Document(s)" or "documentation" means without limitation all writings, notes, letters, reports, memoranda, legal instruments, pleadings, depositions, transcripts, diaries, drawings, drafts, charts, correspondence, photographs, diagrams, studies, experiments, treatises, books, pamphlets, articles, audio tapes, video tapes, films, computer data, and any other data compilations or recordings contained on media of any kind and description from which information can be obtained, which are or at any time have been in the actual or constructive

possession, custody or control of the parties to whom these interrogatories are directed or their attorneys, accountants, advisors or other agents.

3. "Identify" when used with respect to a document or documentation means, unless otherwise specified in the interrogatory, to state:

- 3.1 the type of document or documentation;
- 3.2 the date of creation, mailing, issuance, filing, recording or execution;
- 3.3 the author or recorder of data;
- 3.4 the addressee;
- 3.5 the general subject matter; and
- 3.6 the present location and custodian.

When used with respect to a person, "identify" means to state the person's full name, present business and home address, present employer and position with employer, the relationship, business or otherwise, between such persons, and the person answering the interrogatory.

4. "Person" means any individual, corporation, company, partnership, estate, trust, or any other legally cognizable entity or organization; and, any agency, department, unit, instrumentality, or other subdivision of local, municipal, county, state, or federal government.

5. As used in these interrogatories, "refer to" or "relate to" (or similar language) means in any way logically or factually connected with the matter discussed, either directly or indirectly.

6. "Or" is used in its inclusive sense and should be read as "and/or."

7. "Any" is used in its inclusive sense and should be read as "any and all."

8. "You" or "your" refers to Defendant.

INTERROGATORIES

INTERROGATORY 1: Please state your name and title with Defendant.

RESPONSE:

INTERROGATORY 2: Please state the name of any persons assisting you with the completion of the response to these Interrogatories.

RESPONSE:

INTERROGATORY 3: Please state the name, address and telephone number of any and all persons you may call as witnesses in the trial of this matter.

RESPONSE:

INTERROGATORY 4: Please state the reason you required Plaintiff to relocate Plaintiffs' pier lakeward of Lot 22, Block B in Epworth Forest.

RESPONSE:

INTERROGATORY 5: If the required movement of Plaintiffs' pier will eliminate the ability of an off-shore owner to maintain a current placement of a pier on or near Lot 22 in Block B of Epworth Forest, please state the name of the off-shore person whose pier will be eliminated.

RESPONSE:

INTERROGATORY 6: If Plaintiffs' pier is required to be relocated, please state the amount of lakefront that will then be available to Roy G. Chapman and Linda B. Chapman on the property commonly known as 8439 E. Wade Lane, North Webster, Indiana.

RESPONSE:

INTERROGATORY 7: If you relied on any portion of Natural Resources Commission Information Bulletin No. 56 (Second Amendment) as a basis for your requirement that the Plaintiffs' pier be relocated, please state in detail the portions of that document on which you relied.

RESPONSE:

INTERROGATORY 8: Please state why you believe that your action requiring relocation of Plaintiffs' pier is not in violation of the Orders of the Kosciusko Circuit Court in

Cause No. 43C01-9109-CP-732 entered November 7, 1997, January 21, 2014 and April 15, 2014.

RESPONSE:

INTERROGATORY 9: Please state the reasons you believe your order requiring the relocation of the Plaintiffs' pier is not in violation of the Bylaws of Epworth Forest Administration Committee, Inc. in particular, Sections 6(c) and (d).

RESPONSE:

I affirm under the penalties of perjury that the foregoing statements are true.

EPWORTH FOREST ADMINISTRATION
COMMITTEE, INC.

By: _____

Its: _____

AS TO ANY OBJECTIONS:

BLOOM GATES & WHITELEATHER

By: _____

Matthew R. Shipman, #20664-49
119 S. Main Street
PO Box 807
Columbia City, IN 46725
Attorney for Defendant

SNYDER MORGAN LLP

By: 

Stephen R. Snyder, #413-43
200 West Main Street
Syracuse, Indiana 46567
Telephone: 574/457-3300
srs@snydermorgan.com
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned certifies that on the 9th day of February, 2016, a true and correct copy of the foregoing pleading was served upon the following by first class U.S. mail, postage prepaid:

Mr. Matthew R. Shipman
Attorney at Law
PO Box 807
Columbia City, IN 46725-0807



Stephen R. Snyder

STATE OF INDIANA) IN THE KOSCIUSKO CIRCUIT COURT
) SS:
COUNTY OF KOSCIUSKO) CAUSE NO. 43C01-1511-MI-270

ROBERT H. STINE AND)
MOLLY MCGINNIS STINE)
)
 Plaintiffs,)
 v.)
)
EPWORTH FOREST ADMINISTRATION)
COMMITTEE, INC.,)
)
 Defendant.)

PLAINTIFFS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS
TO DEFENDANT

Plaintiffs, Robert H. Stine and Molly McGinnis Stine, by counsel, pursuant to Ind.Trial Rules 26 and 34, requests Defendant, Epworth Forest Administration Committee, Inc., to produce for inspection and photocopying the documents set forth herein at the offices of Snyder Morgan LLP, Attn: Stephen R. Snyder, 200 West Main Street, Syracuse, Indiana 46567, within 30 days of the date of service.

I. Definitions:

A. The term "document" when used in this request means all originals of any nature whatsoever, identical copies, and all non-identical copies thereof, pertaining to any medium upon which intelligence or information may be recorded; including without limitation all writings, notes, letters, reports, interests, specifications, memoranda, legal instruments, pleadings, depositions, transcripts, diaries, drawings, plans, contracts, agreements, drafts, charts, correspondence, photographs, punch lists, update sheets, diagrams, studies, experiments, treatises, books, pamphlets, articles, audio tapes, video tapes, films, computer data, and any other data compilations or recordings contained on media of any kind and description from which information can be obtained, which are or at any time have been in the actual or constructive possession, custody or control of Plaintiff or his attorneys, accountants, advisors or other agents.

B. The naming of any company, partnership or other entity includes its predecessors, subsidiaries, parents, branches, divisions and affiliates and any person acting or purporting to act in its behalf, including, but not limited to, its attorneys, agents, employees or representatives.

C. As used in this request, "refer to" or "relate to" (or similar language) means in any way logically or factually connected with the matter discussed, either directly or indirectly.

D. "Or" is used in its inclusive sense and should be read as "and/or."

E. "Any" is used in its inclusive sense and should be read as "any and all."

F. The generality of any request is not limited by the particularity of another request.

II. Privilege:

If any document is withheld under a claim of privilege, furnish a list identifying each document for which the privilege is claimed, together with the following information in sufficient detail so as to permit the court to adjudicate the validity of the claimed privilege: date, sender, recipient, type (e.g., letter, memoranda, telegraph, chart, photograph, etc.), subject matter of the document, the basis on which privilege is claimed, and the paragraph or paragraphs of this request to which the documents relates.

III. Documents No Longer in Possession, Custody or Control:

If any documents sought in this request was, but no longer is, in your possession or subject to your custody or control or in existence, state whether:

- (a) It is missing or lost;
- (b) It has been destroyed;
- (c) It has been transferred, voluntarily or involuntarily, to others, or,
- (d) It has been disposed of otherwise.

In each instance, explain the circumstances surrounding such disposition and identify the person(s) directing or authorizing same, and the date(s) thereof. Identify each documents by listing its author, and the author's address, type (e.g., letter, memorandum, telegram, chart, photograph, etc.), date, subject matter, present locations(s) and custodian(s), and state whether documents (or copies) are still in existence.

REQUEST FOR PRODUCTION OF DOCUMENTS

REQUEST FOR PRODUCTION 1: Please produce any and all documents used by you in making the determination that Plaintiffs' pier, Block B in the Plat of Epworth Forest, must be relocated.

RESPONSE:

REQUEST FOR PRODUCTION 2: Please produce all documents considered by you in denial of the appeal of the required pier relocation.

RESPONSE:

REQUEST FOR PRODUCTION 3: Please produce any and all exhibits you may present at trial of this matter.

RESPONSE:

SNYDER MORGAN LLP

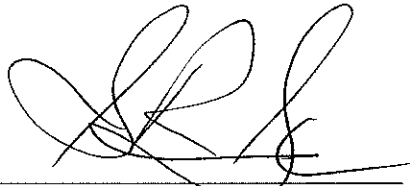
By: 

Stephen R. Snyder, #413-43
200 West Main Street
Syracuse, Indiana 46567
Telephone: 574/457-3300
srs@snydermorgan.com
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned certifies that on the 9th day of February, 2016, a true and correct copy of the foregoing pleading was served upon the following by first class U.S. mail, postage prepaid:

Mr. Matthew R. Shipman
Attorney at Law
PO Box 807
Columbia City, IN 46725-0807



Stephen R. Snyder