

**IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR ALACHUA COUNTY, FLORIDA**

GAINESVILLE CITIZENS CARE, INC.,

Plaintiff,

CASE NO.: 2012-CA-1346

vs.

DIVISION: J

CITY OF GAINESVILLE, d/b/a
GAINESVILLE REGIONAL UTILITIES,

Defendant,

and

GAINESVILLE RENEWABLE ENERGY
CENTER, LLC,

Intervenor.

**CITY OF GAINESVILLE'S RESPONSE TO
PLAINTIFF'S FIRST REQUEST FOR PRODUCTION**

The Defendant, the City of Gainesville ("City"), responds to the correspondingly numbered paragraphs of Plaintiff's First Request for Production served on September 24, 2012 as follows:

1. The documents will be made available for inspection and copying.
2. The documents will be made available for inspection and copying.
3. The Defendant objects to this request as being overbroad and burdensome.


Responding as "you" is defined in the definition section would entail examining the emails of all 2,000+ City employees and anyone they may have consulted on this matter to determine whether they had emails during that time associated with the binding proposal or the PPA. In accordance with this objection, the City will

make available all of the emails of those individuals listed in Request to Produce Number 1 on the subject requested for the time period referenced.

4. The City objects to this request as being overbroad and burdensome. Responding as “your” is defined in the definition section would entail examining the correspondence of all 2,000+ City employees and anyone they may have consulted on this matter to determine whether they had correspondence relating to negotiating the terms of the PPA. Further, there is no time limit specified in the Request. In accordance with this objection, the City will make available any correspondence (outside of emails provided in response to Request to Produce Numbers 3, 4, 6, and 7) of those individuals identified in Request to Produce Number 1 for the time period between May 1, 2008 and May 7, 2009.
5. The documents will be made available for the time period between May 1, 2008 and May 7, 2009.
6. The documents will be made available for the time period between May 1, 2008 and May 7, 2009.
7. The documents will be made available for the time period between May 1, 2008 and May 7, 2009.
8. The documents will be made available for inspection and copying.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail to Marcy I. LaHart, PA (marcy@floridaanimallawyer.com), David Dee, Esquire (ddee@gbwlegal.com) and John T. LaVia, III, Esquire (jlavia@gbwlegal.com) on this 25th day of October 2012.



Elizabeth A. Waratuke, Litigation Attorney
Florida Bar No. 458007
City of Gainesville – Office of the City Attorney
P.O. Box 490, Station 46
Gainesville, FL 32627
Tel: 352-334-5011/Fax: 352-334-2229
Attorney for Defendant
waratukeea@cityofgainesville.org
whitecg@cityofgainesville.org