

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO COUNTY, FLORIDA

OFFICE OF THE ATTORNEY
GENERAL, DEPARTMENT OF LEGAL
AFFAIRS, STATE OF FLORIDA,

Plaintiff,

vs.

CASE NO. 51-2010-CA-2912-WS/G

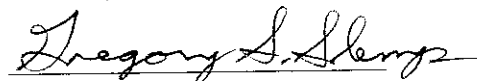
BOTFLY L.L.C., DAVID R. LEWALSKI,
JON J. HAMMILL, and JON J.
HAMMILL, P.A.,

Defendants.

**NOTICE OF FILING DEFENDANT JON J. HAMMILL'S ANSWERS TO PLAINTIFF'S
FIRST SET OF INTERROGATORIES**

Plaintiff, Office of the Attorney General, Department of Legal Affairs, State of Florida,
by and through its undersigned attorneys, hereby gives notice that it is filing herewith the
original of Defendant Jon J. Hammill's Answers to Plaintiff's First Set of Interrogatories.

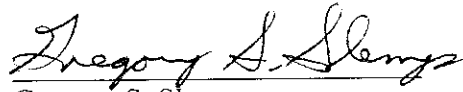
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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. mail to Jeffrey W. Warren and Karen Cox, Bush Ross, P.A., P.O. Box 3913, Tampa, FL 33601-3913; David R. Lewalski, Pinellas County Jail, Cell Location/Status: CEN-6C1-UN01-08-003, 14400 49th St. N., Clearwater, FL 33762; Steve D. Tran, 2285 First Avenue North, Suite A, Saint Petersburg, FL 33713; Jon J. Hammill, 6232 Fifth Avenue North, Saint Petersburg, FL 33710; and Gabriel Mazzeo via email at gmazzeo11@gmail.com on this 4th day of May, 2011.


Gregory S. Slemp

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
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OFFICE OF THE ATTORNEY
GENERAL, DEPARTMENT OF LEGAL
AFFAIRS, STATE OF FLORIDA,

Plaintiff,

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CASE NO. 51-2010-CA-2912-WS/G

BOTFLY L.L.C., DAVID R. LEWALSKI,
JON J. HAMMILL, and JON J.
HAMMILL, P.A.,

Defendants.

**PLAINTIFF'S FIRST SET OF INTERROGATORIES TO
DEFENDANT JON J. HAMMILL**

Plaintiff Office of the Attorney General, Department of Legal Affairs, State of Florida, by and through its undersigned attorneys, pursuant to Rule 1.340, Florida Rules of Civil Procedure, hereby propounds the following First Set of Interrogatories to Defendant Jon J. Hammill (the "Interrogatories") to be answered within thirty (30) days from the date of service hereof.

DEFINITIONS

1. "You" and "your" refer to the Defendant Jon J. Hammill and his agents and his representatives and any other persons acting, or purporting to act on his behalf.
2. "Person" means any natural person; public or private corporation, whether or not organized for profit; governmental entity; partnership; association; cooperative; joint venture; sole proprietorship; or other legal entity. With respect to a business entity, "person" includes any

natural person acting formally or informally as an employee, officer, agent, attorney or other representative of the business entity.

3. "Documents" as used in these Interrogatories is defined as data or information in any tangible form, including but not limited to the original and any non-identical copy (which is different from the original because of notations on such copies or otherwise) of all correspondence, telegrams, teletype messages, faxes, contracts (including drafts, proposals and any and all exhibits thereto), draft minutes and agendas, memoranda (including white papers, white papers, inter- and intra- office memoranda, memoranda for file, pencil jottings, diary entries, desk calendar entries, reported recollections, and any other written form of notation of events or intentions), transcripts and recordings of conversations and telephone calls, books, records, photographs, reports, tabulations, charts, books of account, ledgers, invoices, financial statements, purchase orders, receipts, canceled checks, e-mail, Internet mail, computer files, data files, Internet files or pages and all other documentary material of any nature whatsoever, together with any attachments thereto or enclosures therewith, as well as data or communications stored, maintained or organized electronically or magnetically through computer equipment. Documents in electronic or magnetic form shall be obtained or translated, if necessary, by you into reasonable usable form. The term "document" shall also include audio and/or video recordings.

4. "Identify," "identification," and "identity" mean: (a) when used in reference to a natural person, to state his or her name, job title and description of each of his or her positions, and the person's present or last known residence and business addresses; (b) when used in reference to a person other than a natural person, to state the entity's name, address, and principal

place of business as well as a natural person contact for the entity; (c) when used in reference to a document, to state the type of document (e.g., letter, memorandum, book, fax, telegram, application, contract, chart, report, photograph, sound reproduction, etc.), its date, title and general subject matter, its title in the case of publication, its author(s), each addressee, all individuals designated on the document to receive a copy; and (d) when used in reference to an oral communication, to identify the persons who participated in the communication and to state when it took place, where, who was present, and who said what to whom, in words or substance.

5. "Relating" or "relating to" means constituting, concerning, embodying, reflecting, identifying, regarding, describing, referring to, evidencing, discussing, connected with, bearing on, pertaining to, involved with, revealing, having to do with, or in any way relevant to a given subject.

6. "Including" means including, but not limited to.

7. "Any" shall be construed as synonymous with "every," and shall be all inclusive.

8. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of each Interrogatory all responses that might otherwise be construed to be outside of its scope.

9. The use of the singular form of any word includes the plural and vice versa. In addition, the use of any tense of any verb includes all other tenses of the verb.

10. The term "Botfly" means the defendant Botfly L.L.C. and its officers, directors, employees, and agents.

11. The term "communications" means oral or written transmissions of information and includes without limitation conversations, telephone calls, emails, text messages, presentations, notes, interviews, meetings, and letters.

INSTRUCTIONS

1. If you do not have sufficient information to answer an Interrogatory fully, submit as complete an answer as possible and explain why the answer is incomplete. For that part of your answer for which you lack information, submit your best estimate or judgment, so identified, and state the source or basis of the estimate or judgment. Where incomplete answers, or estimates or judgments are submitted, and you believe that other sources of more complete or accurate information exist, identify and describe those sources, even if they are not in your possession.

2. For each Interrogatory that you refuse to answer in whole or in part pursuant to any claim of privilege, state in your response the nature and basis of the privilege claimed.

3. Unless otherwise indicated, the Interrogatories seek information commencing on January 1, 2004 through the date of your answers to the Interrogatories.

INTERROGATORIES

1. Identify all personal and real property you and/or Jon J. Hammill, P.A. have purchased with money received from investors in Botfly and state the location of each such item of property.

ANSWER:

I refuse to answer based on my rights under the fifth amendment

2. Identify all job titles and job descriptions for any work you performed for Botfly, whether you performed the work directly or through a company, and state the tasks you performed for Botfly.

ANSWER: I refuse to answer based on my rights under the fifth amendment

3. Identify all investors who have invested in Botfly.

ANSWER: I refuse to answer based on my rights under the Fifth amendment.

4. Identify all promissory notes that you have signed for investors in Botfly including without limitation the name of the investor, the date of the promissory note, and the amount of the promissory note.

ANSWER: I refuse to answer based on my rights under the Fifth amendment.

5. Identify all payments you have made to investors in Botfly including without limitation the amount of the payment, the date of the payment, and to whom the payment was made.

ANSWER: I refuse to answer based on my rights under the Fifth amendment.

6. Identify all persons and/or companies to whom a referral fee was paid for referring investors to Botfly and identify the amount of each referral fee paid and the method by which the referral fee was computed.

ANSWER: I refuse to answer based on my rights under the Fifth amendment.

7. Identify all payments Jon J. Hammill received from Botfly and state the reason for each such payment and state the total amount of money Jon J. Hammill has received from Botfly.

ANSWER: I refuse to answer based on my rights under the fifth amendment.

8. Identify all payments Jon J. Hammill, P.A. has received from Botfly and state the reason for each such payment and state the total amount of money Jon J. Hammill, P.A. has received from Botfly.

ANSWER: I refuse to answer based on my rights under the fifth amendment.

9. Identify the total amount of money Botfly received from investors.

ANSWER: I refuse to answer based on my rights under the fifth amendment.

10. Identify the total amount of money that Botfly invested or traded on a foreign exchange.

ANSWER: I refuse to answer based on my rights
under the fifth amendment.

11. Identify all communications you made to investors in Botfly about how Botfly invested money including without limitation trading in foreign currency and/or investing in overnight deposits.

I refuse to answer based on my rights

ANSWER: under the Fifth amendment.

12. Identify all investments made by Botfly with money received from investors including without limitation the amount invested, the date of the investment, the bank and/or trading platform where the investment occurred, and the amount of interest accrued on the investment.

ANSWER: I refuse to answer based on my rights under the fifth amendment

13. Identify storage units that you are currently renting and/or leasing and identify the contents of all such storage units.

ANSWER: I refuse to answer based on my rights under the Fifth amendment.

14. Identify all banks in which you have had accounts from January 1, 2004 through the present date.

ANSWER: I refuse to answer based on my rights under the fifth amendment.

15. Identify all current and former employees of Botfly and for each such employee, identify the employee's job title, dates of employment, tasks performed for Botfly, and the last known address for the employee.

ANSWER: I refuse to answer based on my rights under the fifth amendment.

16. Identify all wages, salaries, earnings, dividends, and/or payments Jon J. Hammill has received from Jon J. Hammill, P.A. from January 1, 2004 to the present date.

ANSWER: I refuse to answer based on my rights under the fifth amendment

17. Identify all communications with any person or entity relating to this lawsuit.

ANSWER: I refuse to answer based on my rights under the fifth amendment.

18. Identify the location of Botfly records including without limitation, the location of web account records maintained by Botfly for investors, trading records, investment records, promissory notes, employee personnel files, payroll records, property ownership records, and bank account records.

ANSWER: I refuse to answer based on my rights under the Fifth amendment

19. Identify each Botfly bank account, including foreign accounts, for which you are an authorized signer on the account and for each such account, state the account number, the account balance, and the name of the banking institution.

ANSWER: I refuse to answer based on my rights under the fifth amendment.

20. Identify each foreign bank account held by Botfly and for each such account, state the account number, the account balance, and the name of the banking institution.

ANSWER: I refuse to answer based on my rights under the fifth amendment.

21. Identify the manner in which investor accounts with Botfly were created, maintained, and updated, including without limitation how the web accounts were created, who created and maintained the web accounts, who updated the investor accounts to calculate monthly returns, and how the monthly returns were calculated.

ANSWER: I refuse to answer based on ~~the~~^{my} rights under the Fifth amendment.

22. Identify the location of bicycles and vehicles owned by David R. Lewalski and/or Botfly.

ANSWER: I refuse to answer based on my rights
under the fifth amendment

23. Identify your current street address.

ANSWER: I ~~do~~ refuse to answer based on my rights under the Fifth amendment.

STATE OF FLORIDA

COUNTY OF Pinellas

I, Jon J. Hammill, have read the foregoing Answers to Plaintiff's First Set of Interrogatories and do swear that they are true and correct to the best of my knowledge and belief.

By: Jon J. Hammill
Jon J. Hammill

STATE OF FLORIDA)
)ss:
COUNTY OF Pinellas)

Before me, the undersigned authority, personally appeared Jon J. Hammill, who being duly sworn, deposes and states that the foregoing answers to Plaintiff's First Set of Interrogatories to Defendant Jon J. Hammill, are true and correct to the best of his knowledge, information, and belief.

SWORN TO AND SUBSCRIBED before me this 3 day of September, 2010, by Jon J Hammill, who ~~is personally known to me~~, or who provided Florida Drivers License as identification.



[Signature]
NOTARY PUBLIC, State of Florida