

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

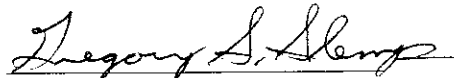
BOTFLY L.L.C., DAVID R. LEWALSKI,
JON J. HAMMILL, and JON J.
HAMMILL, P.A.,

Defendants.

**NOTICE OF FILING DEFENDANT JON J. HAMMILL'S ANSWERS TO PLAINTIFF'S
FIRST REQUEST FOR ADMISSIONS**

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 Request for Admissions.

BILL McCOLLUM
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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

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

Defendants.

PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS
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 1.370, Florida Rules of Civil Procedure, hereby propounds the following First Request for Admissions to Defendant Jon J. Hammill to be answered within thirty (30) days from the date of service hereof.

DEFINITIONS AND INSTRUCTIONS

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. The term "Botfly" means the defendant Botfly L.L.C. and its officers, directors, employees, and agents.
3. The term "relevant period" means January 1, 2004 to the present.

REQUEST FOR ADMISSIONS

Please admit the following:

1. You worked for Botfly.

ANSWER: Admitted Denied

2. You solicited persons to invest in Botfly. *I refuse to answer based on my rights under the fifth amendment.*

ANSWER: Admitted Denied

3. You told at least one investor that he would receive a 10% return per month on his investment with Botfly. *I refuse to answer based on my rights under the fifth amendment.*

ANSWER: Admitted Denied

4. You told at least one investor that his money invested in Botfly would be used for trading in foreign currency. *I refuse to answer based on my rights under the fifth amendment.*

ANSWER: Admitted Denied

5. You told at least one investor that his money invested in Botfly would be used to obtain a return by investing in overnight deposits. *I refuse to answer based on my rights under the fifth amendment.*

ANSWER: Admitted Denied

6. You created account statements for investors in Botfly. *I refuse to answer based on my rights under the fifth amendment.*

ANSWER: Admitted Denied

7. You credited account statements for investors in Botfly with a 10% per month interest rate of return on their investments in Botfly. *I refuse to answer based on my rights under the fifth amendment.*

ANSWER: Admitted Denied

8. You collected money from investors to deposit into the bank accounts of Botfly.

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

9. You knew that Botfly investors' account statements were not accurate.

ANSWER: Admitted _____ Denied _____ *I refuse to answer based on my rights under the fifth amendment.*

10. You received more than \$82,000 from Botfly from February 28, 2008 through April 1, 2010. *I refuse to answer based on my rights under the fifth amendment.*

ANSWER: Admitted _____ Denied _____

11. The funds you received from Botfly were funds provided by investors to Botfly for investment. *I refuse to answer based on my rights under the fifth amendment.*

ANSWER: Admitted _____ Denied _____

12. The funds you received from Botfly did not come from profits made from Botfly's investments or trading. *I refuse to answer based on my rights under the fifth amendment.*

ANSWER: Admitted _____ Denied _____

13. Jon J. Hammill, P.A. received more than \$1,284,000 from Botfly from February 28, 2008 through April 1, 2010. *I refuse to answer based on my rights under the fifth amendment.*

ANSWER: Admitted _____ Denied _____

14. The funds Jon J. Hammill, P.A. received from Botfly were funds provided by investors to Botfly for investment. *I refuse to answer based on my rights under the fifth amendment.*

ANSWER: Admitted _____ Denied _____

15. You received more than \$728,000 from Jon J. Hammill, P.A. from February 28, 2008 through April 1, 2010. *I refuse to answer based on my rights under the fifth amendment.*

ANSWER: Admitted _____ Denied _____

16. The funds you received from Jon J. Hammill, P.A. were funds provided by investors to Botfly for investment. *I refuse to answer based on my rights under the fifth amendment.*

ANSWER: Admitted _____ Denied _____

17. Botfly did not trade in foreign currency 80% or more of the money it received for investment in Botfly. *I refuse to answer based on my rights under the fifth amendment.*

ANSWER: Admitted _____ Denied _____

18. You knew that Botfly was not trading in foreign currency 80% or more of the money it received for investment in Botfly. *I refuse to answer based on my rights under the fifth amendment*

ANSWER: Admitted _____ Denied _____

19. Botfly did not earn a 10% return per month or more return by trading in foreign currency. *I refuse to answer based on my rights under the fifth amendment.*

ANSWER: Admitted _____ Denied _____

20. Botfly did not earn a 10% return per month or more return by investing in overnight deposits. *I refuse to answer based on my rights under the fifth amendment.*

ANSWER: Admitted _____ Denied _____

21. You told at least one investor that Botfly earned 19% return per month by trading in foreign currency. *I refuse to answer based on my rights under the fifth amendment*

ANSWER: Admitted _____ Denied _____

22. You wrote checks to investors from at least one Botfly bank account.

ANSWER: Admitted _____ Denied _____ *I refuse to answer based on my rights under the fifth amendment*

23. You told at least one investor that if he invested \$100,000 in Botfly, that the investor would have \$1 million in 25 months. *I refuse to answer based on my rights under the fifth amendment.*

ANSWER: Admitted _____ Denied _____

24. You knew that the communication identified in number 23 was false at the time it was made. *I refuse to answer based on my rights under the fifth amendment*

ANSWER: Admitted _____ Denied _____

25. You told at least one investor that if he invested \$25,000 in Botfly, that the investor would have \$78,460 in 13 months. *I refuse to answer based on my rights under the fifth amendment*
ANSWER: Admitted _____ Denied _____

26. You, Botfly, and David R. Lewalski are not licensed or registered to invest any monies, including trading or pooling investments, in foreign currency with any local, state, or federal regulatory agency. *I refuse to answer based on my rights under the fifth amendment*
ANSWER: Admitted _____ Denied _____

27. You used money from new investors in Botfly to pay returns to existing investors in Botfly. *I refuse to answer based on my rights under the fifth amendment.*
ANSWER: Admitted _____ Denied _____

28. You were a direct participant in the activities of Botfly. *I refuse to answer bas*
ANSWER: Admitted _____ Denied _____ *on my rights under the fifth amendment*

29. You owned and controlled Jon J. Hammill, P.A. during the relevant period.
ANSWER: Admitted Denied _____

30. You attempted to withdraw funds from your Deutsche Bank AG account after April 10, 2010. *I refuse to answer based on my rights under the fifth amendment*
ANSWER: Admitted _____ Denied _____

STATE OF FLORIDA
COUNTY OF Piellas

I, Jon J. Hammill, have read the foregoing Answers to Plaintiff's First Request for Admissions 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 Piellas)

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 Request for Admissions 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.



Sharon S. Ally
NOTARY PUBLIC, State of Florida