

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

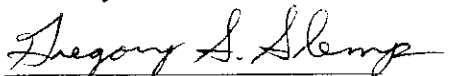
BOTFLY L.L.C., DAVID R. LEWALSKI,
JON J. HAMMILL, and JON J.
HAMMILL, P.A.,

Defendants.

**NOTICE OF FILING DEFENDANT JON J. HAMMILL'S RESPONSE TO
PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

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 Defendant
Jon J. Hammill's Response to Plaintiff's First Request for Production of Documents.

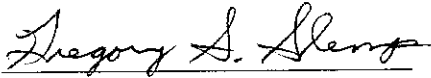
BILL McCOLLUM
Attorney General



R. Scott Palmer
Special Counsel
Florida Bar No. 220353
Gregory S. Slemp
Assistant Attorney General
Florida Bar No. 478865
Office of the Attorney General
PL-01; The Capitol
Tallahassee, Florida 32399-1050
Telephone: (850) 414-3300
Facsimile: (850) 488-9134
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
Gregory S. Slemp

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.

**PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF
DOCUMENTS 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 1.350, Florida Rules of Civil Procedure, hereby propounds the following First Request for Production of Documents to Defendant Jon J. Hammill (the "Requests") 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 representatives and any other persons acting, or purporting to act on his behalf and any entities he owns or controls, including without limitation Jon J. Hammill, P.A.

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 Requests 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. "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.

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

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

7. 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.

8. 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.

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

INSTRUCTIONS

1. If the document you produce is a copy and not the original, so indicate, and provide a brief explanation of whether the original is available for inspection and copying, or reason(s) why it is unavailable. If any such document was, but is no longer in existence, state precisely what disposition was made of it, when such disposition took place, and the Identity of the Person(s) who ordered or authorized such disposition.

2. These Requests call for the production of all responsive documents in your possession, custody, or control without regard to the physical location of said documents.

3. The response to these Requests should be submitted in the following manner:

(a) Documents provided shall be complete and unredacted. Documents shall be submitted as found in your files (e.g., documents that in their original condition were stapled, clipped, or otherwise fastened together or maintained in separate file folders shall be produced in such form). Where the original document is in color, copies submitted in lieu of such original documents must also be in color.

(b) Documents provided shall be produced in the order in which they appear in your

files and shall not be shuffled or otherwise rearranged. Mark each page with corporate identification and consecutive control numbers.

(c) Documents maintained in electronic form must be produced in their native electronic form with all metadata intact. Data must be produced in the data format in which it is typically used and maintained.

(d) For electronic mail systems using Microsoft Outlook or LotusNotes, provide all responsive emails and, if applicable, email attachments and any related documents, in their native file format (i.e., .pst for Outlook personal folder, .nsf for LotusNotes). For all other email systems, provide all responsive emails and, if applicable, email attachments.

4. If you possess no documents responsive to a Request, state this fact.

5. If you withhold any document based on a claim of privilege, provide a statement of the claim of privilege and all facts upon which you rely in support of your claim, including (a) author, (b) recipient, (c) date, (d) title, (e) subject matter, (f) location of the document, and (g) the paragraph(s) of these Requests to which it is responsive. If you withhold any documents based on a claim that they constitute or contain attorney work product, provide the information called for by (a)-(g) above and identify the litigation in connection with which the document was prepared.

6. Unless otherwise stated, you are required to produce documents dating from January 1, 2004 through the date of your response to the Requests.

DOCUMENTS TO BE PRODUCED

1. All documents relating to your employment with Botfly including without limitation pay stubs, W-2s, job descriptions, employment agreements, emails, and correspondence. *I assert my fifth amendment privilege on production of documents*

2. All promissory notes that you have signed for investors who have invested in Botfly. *I assert my fifth amendment ~~right~~ privilege for the production of documents*
3. All documents identifying investors in Botfly. *I assert my fifth amendment privilege for the production of documents*
4. All documents relating to your employment with Jon J. Hammill, P.A. including without limitation pay stubs, W-2s, job descriptions, employment agreements, emails, and correspondence. *I assert my fifth amendment privilege for the production of documents.*
5. All correspondence between you and any investor in Botfly including without limitation emails. *I assert my fifth amendment privilege for the production of documents.*
6. All documents relating to any trading and/or investment by Botfly. *I assert my fifth amendment privilege for the production of documents.*
7. All statements for your accounts with Deutsche Bank AG. *I assert my fifth amendment privilege for the production of documents.*
8. All of your Federal income tax returns. *you have requested them from Nick Cola, CPA.*
9. All Federal or State income tax returns filed on behalf of Jon J. Hammill, P.A. *you have requested them from Nick Cola, CPA.*
10. All statements for your bank accounts, including without limitation checking accounts, savings accounts, brokerage accounts, investment accounts, and/or certificates of deposits. *I assert my fifth amendment privilege for the production of documents.*
11. All of your income statements, balance sheets, ledgers, worksheets, spreadsheets, wage reports, and accounting records. *I assert my fifth amendment privilege for the production of documents.*
12. All powers of attorney to which you are a party. *I assert my fifth amendment privilege for the production of documents*
13. All correspondence between you and David R. Lewalski including without limitation emails. *I assert my fifth amendment privilege for the production of documents*
14. All leases and/or agreements for any storage unit or facility between you and any other person or entity. *I assert my fifth amendment privilege for the production of documents*
15. All documents you have produced in Case No. 8:09-bk-2272-CPM and Adv. Pro.

No. 8:10-888-ap-CPM (U.S. Bankruptcy Court for the Middle District of Florida) including

without limitation documents produced to the bankruptcy trustee. *I assert my Fifth amendment privilege for production of documents*

16. All documents relating to payments you have received from Botfly including

without limitation cancelled checks, deposit slips, wire confirmations, W-2 forms, and check registers.

I assert my Fifth amendment privilege for production of documents

17. All statements provided to investors in Botfly. *I assert my Fifth amendment privilege for production of documents*

18. All agreements between you and David R. Lewalski. *I assert my Fifth amendment privilege for production of documents.*

19. All documents relating to payments you have made to Botfly. *I assert my Fifth amendment privilege for production of documents.*

20. All documents relating to payments Jon J. Hammill, P.A. has received from

Botfly. *I assert my Fifth amendment privilege for production of documents*

21. All documents relating to payments Jon J. Hammill, P.A. has made to Botfly. *I assert my Fifth amendment privilege for production of documents.*

22. All documents indicating the current location of David R. Lewalski. *I am unaware of current location of David Lewalski.*

23. All documents relating to Botfly. *I assert my Fifth amendment privilege for production of documents.*

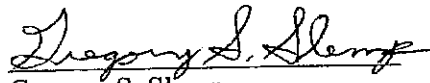
24. All documents relating to any automobiles, personal property, and/or real property I assert my Fifth amendment privilege for production of documents, you have purchased with money provided by persons as investments or loans to Botfly.

BILL McCOLLUM
Attorney General

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Gregory S. Slemp