

IN THE CIRCUIT COURT OF THE 17th
JUDICIAL CIRCUIT IN AND FOR BROWARD
COUNTY, FLORIDA

CASE No: 12-34121 (07)
Complex Litigation Unit

MARGARET J. SMITH as Managing
General Partner of P&S ASSOCIATES,
GENERAL PARTNERSHIP, a Florida
limited partnership, and S&P ASSOCIATES,
GENERAL PARTNERSHIP, a Florida
limited partnership; P&S ASSOCIATES,
GENERAL PARTNERSHIP, a Florida
limited partnership; and S&P ASSOCIATES
GENERAL PARTNERSHIP, a Florida
limited partnership,

Plaintiffs,

vs.

JANET A. HOOKER CHARITABLE
TRUST, a charitable trust, et al.

**DEFENDANTS, HOLY GHOST FATHERS HG-IRELAND/KENEMA'S
RESPONSE TO PLAINTIFF'S REQUEST FOR PRODUCTION OF DOCUMENTS**

Defendant, Holy Ghost Fathers HG Ireland/Kenema ("HG Ireland/Kenema"), by and
through their undersigned attorneys, hereby serve its Response to Plaintiffs' First Request for
Production of Documents as follows:

GENERAL OBJECTIONS

The most recent distribution to HG Ireland/Kenema upon which the Plaintiffs' Amended
Complaint is based were received more than six years ago. More specifically, HG
Ireland/Kenema has not received any distribution from P&S Associates, General Partnership
since January, 2007. Since that time, there has been no activity in HG Ireland/Kenema's capital

account with P&S Associates, General Partnership. After a good faith search of its records, HG Ireland/Kenema has been able to locate only limited documents relating to P&S Associates, General Partnership. If HG Ireland/Kenema is able to locate additional documents, it will produce them promptly.

RESPONSES TO DOCUMENT REQUEST

1. All documents exchanged between Defendant and P&S; S&P; Michael D. Sullivan; Steven Jacob; Michael D. Sullivan & Associates, Inc., a Florida Corporation; Steven F. Jacob, CPA & Associates, Inc.; Frank Avellino; Michael Bienes; Gregg Powell; Kelco Foundation, Inc., a Florida Non-Profit Corporation; and/or Vincent T. Kelly.

RESPONSE: HG Ireland/Kenema attaches all documents in its possession relevant to this Request.

2. All documents related to communications between Defendant and P&S; S&P; Michael D. Sullivan; Steven Jacob; Sullivan & Powell Solutions in Tax; Guardian Angel Trust, LLC; Michael D. Sullivan & Associates, Inc.; a Florida Corporation; Steven F. Jacob, CPA & Associates, Inc.; Frank Avellino; Michael Bienes; Kelco Foundation, Inc., a Florida Non-Profit Corporation; and/or Vincent T. Kelly.

RESPONSE: HG Ireland/Kenema attaches all documents in its possession relevant to this Request.

3. All documents that refer to or reflect the transaction and/or events alleged in the Amended Complaint in this action.

RESPONSE: HG Ireland/Kenema attaches all documents in its possession relevant to this Request.

4. All documents that reflect payments, distributions, and/or transfers of funds between S&P and/or P&S and Defendant. This request includes without limitation all documents that reflect payments, distributions, and/or transfers of funds made and/or received on behalf of P&S.

RESPONSE: HG Ireland/Kenema attaches all documents in its possession relevant to this Request.

5. All documents that support the assertion Plaintiffs failed to bring a lawsuit within the time required under the applicable statutes of limitations for each cause of action asserted in the Amended Complaint.

RESPONSE: HG Ireland/Kenema objects to this request on the grounds that it is overbroad and seeks the production of documents protected by the attorney work product doctrine. HG Ireland/Kenema further responds and says that it attaches all documents in its possession relevant to this Request.

6. All documents related to any payment, distribution, and/or transfer of funds between P&S and any partner of P&S.

RESPONSE: HG Ireland/Kenema objects to this request on the grounds that it is overbroad and seeks the production of documents not in its possession. HG Ireland/Kenema further responds and says that it attaches all documents in its possession relevant to this Request.

7. All documents related to any requests You made to review the books and records of P&S.

RESPONSE: HG Ireland/Kenema objects to this request on the grounds that it is overbroad and seeks the production of documents protected by the attorney work product doctrine. HG Ireland/Kenema further responds and says that there are none.

8. All documents between You and any of the other Partners in P&S; including but not limited to any correspondence between You and any of the named Defendants in this action.

RESPONSE: HG Ireland/Kenema objects to this request on the grounds that it is overbroad, unduly burdensome, and that it is irrelevant and/or not reasonably calculated to lead to the discovery of admissible evidence. HG Ireland/Kenema states that there are none that are relevant to this litigation.

9. All documents relating to any investment advice You received which related to P&S; including without limitation of any documents provided to investment advisors, and any reports produced by such investment advisors.

RESPONSE: HG Ireland/Kenema states that there are none.

10. All documents relating to Your knowledge of the amount of distributions that You should have received from P&S.

RESPONSE: HG Ireland/Kenema attaches all documents in its possession relevant to this Request.

11. All documents that support the assertion that You received all payments, distributions, and/or transfers of funds from P&S in accordance with the Partnership Agreements.

RESPONSE: HG Ireland/Kenema attaches all documents in its possession relevant to this Request.

12. All documents that support Your alleged entitlement to retain any payments, distributions, and/or transfers of funds from P&S.

RESPONSE: HG Ireland/Kenema attaches all documents in its possession relevant to this Request.

13. All documents related to any consultation between You and any accountants or other experts in relation to Your investment in P&S.

RESPONSE: HG Ireland/Kenema states that there are none.

14. All documents that relate to Your decision to allegedly dissociate and/or withdraw from P&S.

RESPONSE: HG Ireland/Kenema attaches all documents in its possession relevant to this Request.

15. All documents that relate to Your decision to invest in P&S.

RESPONSE: HG Ireland/Kenema states that there are none.

16. All documents that relate to Your attempts to verify the amounts stated on your Account Statement with P&S.

RESPONSE: HG Ireland/Kenema attaches all documents in its possession relevant to this Request.

17. All documents reflecting any relationship between You and any entity with “Holy Ghost” or “Spiritans” in its name.

RESPONSE: HG Ireland/Kenema objects to this request on the grounds that it is overboard, unduly burdensome, and that it is irrelevant and/or not reasonably calculated to lead to the discovery of admissible evidence.

18. All documents reflecting any relationship between You and Vincent T. Kelly and/or Kelco Foundation, Inc. a Florida Non-Profit Corporation.

RESPONSE: HG Ireland/Kenema objects to this request as it pertains to Fr. Vincent T. Kelly on the grounds that it is overboard, unduly burdensome, and that it is irrelevant and/or not reasonably calculated to lead to the discovery of admissible evidence. HG Ireland/Kenema states

that Fr. Vincent T. Kelly is friend of several members of the Congregation of the Holy Ghost in Ireland, and that it will produce all documents in its possession relevant to this Request. HG Ireland/Kenema states that there are none with respect to Kelco Foundation.

19. All documents reflecting any relationship between you and the Catholic Church.

RESPONSE: HG Ireland/Kenema objects to this request on the grounds that it is overbroad, unduly burdensome, and that it is irrelevant and/or not reasonably calculated to lead to the discovery of admissible evidence.

20. All documents that support Your allegation that the alleged breach of P&S Partnership Agreement was a “minor breach,” as is alleged in Your Motion for Summary Judgment.

RESPONSE: HG Ireland/Kenema objects to this request on the grounds that its Motion for Summary Judgment does not allege a “minor breach” of the P&S Partnership Agreement. HG Ireland/Kenema objects to this request on the grounds that its Motion for Summary Judgment speaks for itself.

21. All documents that support Your assertion that You “merely accepted distributions in accordance with the Partnership Agreement,” as alleged in your Motion for Summary Judgment.

RESPONSE: HG Ireland/Kenema objects to this request on the grounds that its Motion for Summary Judgment speaks for itself. HG Ireland/Kenema further states that it attaches all documents in its possession relevant to this Request.

22. All documents relating to Your decision not to comply with the Demand Letter you received in November of 2012 from Margaret Smith and the Demand Letter that you received in October 2013.

RESPONSE: HG Ireland/Kenema objects to this request on the grounds that it is overbroad and seeks the production of documents protected by the attorney work product doctrine.

23. All documents relating to Your initial investment in P&S.

RESPONSE: HG Ireland/Kenema attaches all documents in its possession relevant to this Request.

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