

**STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF HURON**

THOMAS LAMBERT and
MICHIGAN OPEN CARRY, INC,
Plaintiffs,

Case No.: 16-105457-CZ
Honorable Gerald R. Prill

v.

DISCOVERY

CITY OF HARBOR BEACH,
Defendant

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PLAINTIFFS' SECOND REQUEST FOR DISCOVERY

TO: Defendant CITY OF HARBOR BEACH

As used within this request:

- A. "Identify" when referring to an individual, corporation, or other entity shall mean to set forth the name and telephone number, and if a corporation or other entity, its principle place of business, or if an individual, the present or last known home address, his or her job title or titles, by whom employed and address of the place of employment.
- B. Where knowledge or information in possession of a party is requested, such request includes knowledge of the party's principals, employees, staffers, agents, insurance companies, representatives, and unless privileged, his, her, or its attorney or attorneys. When answer is made by a corporate or other entity defendant, state the name, address and title of person(s) supplying the information and list the source of his or her information.
- C. The pronoun "you" refers to the party this request is directed at as well as to the individuals and entities mentioned in subsection (B) above.

Kindly answer, respond, and/or produce, in full, all discovery items/requests propounded below pursuant to MCR 2.309, MCR 2.310, and/or MCR 2.312 of the Michigan Court Rules:

1. INTERROGATORY: Who is the lowest pay employee capable of fulfilling the Oct 3 FOIA Requests; please specify name, address, title, and compensation of this individual.

2. INTERROGATORY: For what reasons and on what basis did you determine that the person identified in the preceding discovery request is the lowest pay employee capable of fulfilling the Oct 3 FOIA Requests.

3. INTERROGATORY: Provide the name(s), title(s), and hourly wage/salary of all other employees with the City of Harbor Beach who earns less than the person identified in the preceding two paragraphs.

4. INTERROGATORY: On what basis did you determine that it would take five (5) hours to fulfill three FOIA requests. Separately for each of the Oct 3 requests, specify the activity to be undertaken to fulfill the request and the amount time to fulfill each. Be as precise as possible.

5. INTERROGATORY: Is the City Director an elected position?

6. INTERROGATORY: Is the City Director an hourly or salaried employee/official?

7. PRODUCE: the City Director's time cards or time schedule for time worked in October 2016.

8. PRODUCE: the City Director's employment contract(s) and/or compensation schedule in effect from October 3, 2016 to present.

9. PRODUCE: the City Director's W2 for 2016.

10. PRODUCE: Any and all documents showing what non-salary (or non hourly wage) benefits were provided to the City Director in 2016.

11. PRODUCE: Any and all documents showing the total value of employment benefits provided to the City Director in 2016.

12. INTERROGATORY: What is the actual cost of benefits provided to the City Director for the 2016 fiscal year? Please provide with specificity the basis, step by step, how you conducted your calculation.

a. PRODUCE: Any and all documents referenced by you to calculate the answer to the preceding discovery request.

13. INTERROGATORY: Is the City Clerk an elected position?
14. INTERROGATORY: Is the City Clerk an hourly or salaried employee/official?
15. PRODUCE: the City Clerk's time cards or time schedule for time worked in October 2016.
16. PRODUCE: the City Clerk's employment contract(s) and/or compensation schedule in effect from October 3, 2016 to present.
17. PRODUCE: the City Clerk's W2 for 2016.
18. PRODUCE: Any and all documents showing what non-salary (or non hourly wage) benefits were provided to the City Clerk in 2016.
19. PRODUCE: Any and all documents showing the total value of employment benefits provided to the City Clerk in 2016.
20. INTERROGATORY: What is the actual cost of benefits provided to the City Clerk for the 2016 fiscal year? Please provide with specificity the basis, step by step, how you conducted your calculation.
 - a. PRODUCE: Any and all documents referenced by you to calculate the answer to the preceding discovery request.
21. INTERROGATORY: Is the Deputy City Clerk an elected position?
22. INTERROGATORY: Is the Deputy City Clerk an hourly or salaried employee/official?
23. PRODUCE: the Deputy City Clerk's time cards or time schedule for time worked in October 2016.
24. PRODUCE: the Deputy City Clerk's employment contract(s) and/or compensation schedule in effect from October 3, 2016 to present.
25. PRODUCE: the Deputy City Clerk's W2 for 2016.
26. PRODUCE: Any and all documents showing what non-salary (or non hourly wage) benefits were provided to the Deputy City Clerk in 2016.
27. PRODUCE: Any and all documents showing the total value of employment benefits provided to the Deputy City Clerk in 2016.

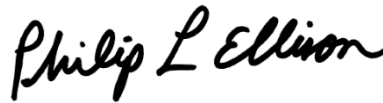
28. INTERROGATORY: What is the actual cost of benefits provided to the Deputy City Clerk for the 2016 fiscal year? Please provide with specificity the basis, step by step, how you conducted your calculation.

a. PRODUCE: Any and all documents referenced by you to calculate the answer to the preceding discovery request.

29. INTERROGATORY: Identify all persons with whom you consulted and/or checked with to investigate actual or possible answers to these discovery requests; for each person, itemize each discovery request the person contributed information which became your answer in response thereto.

Date: February 6, 2017

RESPECTFULLY SUBMITTED:

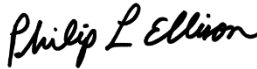


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PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing document(s) was served on parties or their attorney of record by 1.) emailing the same to the email addresses or record and 2.) mailing the same via US mail to their respective business address(es) as disclosed by the pleadings of record herein with postage fully prepaid, on the

6th day of February, 2017.



PHILIP L. ELLISON
Attorney at Law

**Electronic signature authorized by MCR 2.114(C)(3) and MCR 1.109(D)(1)-(2)