

**STATE OF MICHIGAN  
IN THE COURT OF CLAIMS**

MICHIGAN OPEN CARRY, INC,  
Plaintiff/Petitioner,

Case No.: 18-000087-MZ  
Honorable Cynthia Stephens

v.

**DISCOVERY**

MICHIGAN DEPARTMENT OF STATE  
POLICE also commonly known as the  
MICHIGAN STATE POLICE,  
Defendant

---

OUTSIDE LEGAL COUNSEL PLC  
PHILIP L. ELLISON (P74117)  
Attorney for Plaintiff/Petitioner  
PO Box 107  
Hemlock, MI 48626  
(989) 642-0055  
(888) 398-7003 - fax  
pellison@olcplc.com

ADAM R. DE BEAR (P80242)  
ASSISTANT ATTY GENERAL  
MICHIGAN DEPT OF ATTY GEN  
Attorney for Defendant  
PO Box 30754  
Lansing, MI 48909  
(517) 373-1162  
deBearA@michigan.gov

---

**FOURTH SET OF DISCOVERY REQUESTS (DATABASE CASE)**

TO: DEFENDANT MICHIGAN DEPARTMENT OF STATE POLICE

As used within this request:

A. "Identify" when referring to an individual, corporation, or other entity shall mean to set forth the name, address, 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 an answer/response is made by a corporate or other non-individual party, 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 2.302, MCR 2.309, MCR 2.310, and/or MCR 2.312 of the Michigan Court Rules:

1. REQUEST TO ADMIT: The head of the Michigan Department of State Police, Col. Kriste Kibbey Etue, did not personally render the decision on Plaintiff Michigan Open Carry's November 20, 2017 FOIA appeal.
2. REQUEST TO ADMIT: FOIA Appeals Officer Lori M. Hinkley rendered the decision on Plaintiff Michigan Open Carry's November 20, 2017 FOIA appeal.
3. PRODUCE: All communications, emails, memoranda, and/or documents which involve in any way the decision and/or the process of rendering the same regarding Plaintiff Michigan Open Carry's November 20, 2017 FOIA appeal as held, possessed, and/or utilized by Col. Kriste Kibbey Etue at any time.
4. PRODUCE: All communications, emails, memoranda, and/or documents which involve in any way the decision and/or the process of rendering the same regarding Plaintiff Michigan Open Carry's November 20, 2017 FOIA appeal as held, possessed, and/or utilized by FOIA Appeals Officer Lori M. Hinkley at any time.
5. PRODUCE: All communications, emails, memoranda, and/or documents which involve in any way the decision and/or the process of rendering the same regarding Plaintiff Michigan Open Carry's November 20, 2017 FOIA appeal not otherwise produced by the preceding two production requests.
6. INTERROGATORY: If the answer to either Request to Admit No. 1 or Request to Admit No. 2 are answered with anything other than a complete admission, identify with particularity the factual and/or legal basis (including full citations to all laws) for your denial, including the name, home and business address, and telephone number of every person having first-hand knowledge of any portion of the facts or law; specify the substance of the facts or law that you or your attorney may seek to elicit from those persons and how those persons gained the information regarding those facts or law; and identify the contents of any written materials or computer data relied on in support of your denial (or attach copies to your answers to these discovery requests). If you are unable to admit or deny the request, identify all the information that you have available in your answer to this discovery request and specify why you cannot admit or deny the previous request for admission.
7. 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: October 20, 2018

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing document(s) was served on parties or their attorney of record by 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

20th day of October, 2018.

*Philip L Ellison*

PHILIP L. ELLISON  
Attorney at Law

RESPECTFULLY SUBMITTED:

*Philip L Ellison*

OUTSIDE LEGAL COUNSEL PLC  
BY PHILIP L. ELLISON (P74117)  
Attorney for Plaintiff  
PO Box 107 · Hemlock, MI 48626  
(989) 642-0055  
(888) 398-7003 - fax  
pellison@olcplc.com

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