

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
CIVIL DIVISION**

JOHN WILLIAM LICCIONE,
Plaintiff,

v.

Case No. 24-003939-CI

JULIE MARCUS,
JENNIFER GRIFFITH,
MARK WEINKRANTZ,
CATHY SALUSTRI LOPER,
PATRICK HEINZEN,
OTHER UNKNOWN CO-CONSPIRATORS,
Defendants.

**DEFENDANT GRIFFITH'S RESPONSE TO PLAINTIFF'S FIRST REQUEST FOR
PRODUCTION DIRECTED TO DEFENDANT GRIFFITH**

Defendant, Jennifer Griffith, by and through her undersigned counsel, hereby files this response to Plaintiff's First Request for Production (Doc #49, filed October 19, 2024) and responds as follows:

GENERAL OBJECTIONS TO PLAINTIFF'S REQUEST

1. Overbreadth

- **Scope:** The request is overbroad as it seeks "all documents, records, and communications with any 3rd party" pertaining to the Plaintiff. Under Florida law, discovery requests should be reasonably tailored to the issues in the case. The request's expansive scope, which includes all third-party communications "pertaining to" Plaintiff, could lead to the production of numerous irrelevant or immaterial documents, in violation of Florida's limitations on overly broad discovery (e.g., *Allstate Ins. Co. v. Boecher*, 733 So. 2d 993, 994 (Fla. 1999)).
- **Temporal Scope:** The request does not specify an end date, potentially obligating Defendant to produce documents indefinitely, imposing an undue burden and lacking reasonable temporal limitation. An open-ended date range is inappropriate under Florida discovery standards.

2. Relevance

- **Relevance to Claims:** The request does not specify how the documents are relevant to any specific claims or defenses in this matter. Florida Rule of Civil Procedure 1.280(b)(1) requires relevance, and the lack of connection to pertinent issues makes this request objectionable. Defendant objects to producing materials without a clear nexus to the claims and defenses.
- **Vagueness in “Pertaining to Plaintiff”:** The request’s use of “pertaining to Plaintiff” is vague and could encompass any mention, reference, or incidental connection, extending beyond what would reasonably relate to this case. Defendant objects on the grounds that such ambiguity makes it unclear which documents are intended for production.

3. Public Figure Exception and Privacy Concerns

- As Plaintiff is a public figure, only tangible things directly related to the subject matter of this lawsuit should be discoverable rather than any commentary or opinion regarding Plaintiff’s candidacy.
- **Privacy of Third Parties:** The request implicates the privacy interests of unrelated third parties whose communications with Defendant may only tangentially involve the Plaintiff. Defendant objects to producing documents where third-party privacy interests outweigh any limited probative value in this case.

4. Undue Burden and Expense

- **Excessive Volume and Cost:** The breadth of this request places an undue burden on Defendant to locate and produce all communications with any third party “pertaining to Plaintiff” since May 1, 2023. This will involve extensive searches through records that may have no relevance to the case, violating Florida’s discovery standards of proportionality and balance between burden and benefit (e.g., *Coughlin v. Jachney*, 412 So. 2d 944, 946 (Fla. 2d DCA 1982)).
- **Disproportionate to Case Needs:** The request is disproportionate to the needs of this case and the subject matter of this case. Defendant objects under Florida Rule of Civil Procedure 1.280(b)(1) on the grounds that the undue expense outweighs any potential benefit.

5. Lack of Specificity

- **Unclear Scope of “Pertaining To”:** “Pertaining to Plaintiff” is overly vague and lacks specificity, leaving Defendant unable to determine the exact scope of the request. The ambiguity fails to meet the specificity required by Florida law (e.g., *Boecher*, 733 So. 2d at 994).
- **Undefined “3rd Party”:** The term “3rd party” is not adequately defined, leaving Defendant to guess which entities or individuals fall within the scope of this request. Defendant seeks clarification to avoid overproduction of irrelevant or immaterial information.

6. Duplicative and Cumulative Requests

- **Documents Already in Plaintiff’s Possession:** To the extent that certain communications or documents have already been shared with or are available to the Plaintiff, Defendant objects to duplicative production. Florida discovery rules discourage duplicative requests where the documents sought are equally available to both parties.
- **Cumulative and Unnecessary Production:** The broad nature of the request risks cumulative production of repetitive or irrelevant materials that do not further the discovery process.

7. Attorney-Client Privilege and Work Product Doctrine

- **Privileged Communications:** To the extent that the request seeks communications protected by the attorney-client privilege or attorney work product doctrine, Defendant objects and will withhold such documents on these grounds under Florida law, including communications involving Defendant’s legal counsel and any third-party agents retained to support this instant litigation, other litigation that exists between Plaintiff and Defendant, and any other legal advice sought by Defendant for any purpose.
- **Third-Party Privileged Intermediaries:** Defendant objects to producing privileged or confidential communications involving third-party intermediaries working with legal counsel under the attorney-client privilege or work product doctrine.

8. Premature Request for Production

- **Premature Discovery Demand:** Defendant objects on the grounds that this request is premature—the case is not at issue, there are pending Motions to Dismiss under Florida’s anti-SLAPP statute, and there are pending case management or discovery deadlines not

yet established. Florida trial courts typically discourage premature or anticipatory discovery demands, which may disrupt litigation schedules or impose undue burden before case milestones—such as being at issue—are reached.

9. Proportionality under Florida Rule of Civil Procedure 1.280(b)(1)

- **Burden vs. Benefit:** Florida law requires a balance between the burden of production and the benefit of the documents requested. This broad request, with its indefinite scope and lack of clear boundaries, imposes an unjustifiable burden on Defendant, especially when Plaintiff’s public figure status narrows the field of discoverable information to matters of legitimate public interest related to the case.

RESPONSES

1. Defendant is to produce all documents, records, and communications with any 3rd party pertaining to Plaintiff since May 1st of 2023.

RESPONSE: Defendant restates all General Objections stated above as if fully set forth herein. Without clarification to the scope of this Request, either from Plaintiff or from this Court, Defendant is unable to determine what materials it may need to provide in response.

Dated: October 29, 2024

/s/ George A.D. Thurlow
George A.D. Thurlow, Esquire
FBN 1019960

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was served upon all counsel of record and John William Liccione, Plaintiff *Pro Se*, via the Florida E-Filing Portal on this 29th day of October, 2024 and served via US Mail to:

Mark Weinkrantz
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/s/ George A.D. Thurlow

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