Discovery in Divorce Cases

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I. What Do You Need to Know?

A. “If you don’t know where you are going, you might wind up someplace else.”—Yogi Berra

B. Goal for Any Divorce Case: Compile 4 Documents:
   1. Statement of Net Worth/Financial Statement [See Exhibit #1]
      a. Assets (secured and unsecured)
      b. Liabilities (joint or individual)
      c. Values of Assets and Liabilities
      d. Whether Marital or Separate (or elements of each)
2. **Income Analysis [See Exhibit #2]**
   a. Assess cash flow available for support.
   b. Not the same thing as taxable adjusted gross income!

3. **Expense Analysis [See Exhibit #3]**
   a. Assess what the family customarily was spending on a monthly basis before the divorce filing.
   b. Assess what the each spouse will need to spend on a monthly basis to maintain its lifestyle after the divorce filing.

4. **Marital History [See Exhibit #4]**
   a. Fault: Although it is not necessary to prove fault in order to get a divorce in Michigan, fault very much is relevant in a divorce case.
      iii. Leverage
         (1) Marital conduct
         (2) Lying under oath about marital conduct
   b. Whether assets & liabilities “…[came] to either party by reason of the marriage…..” MCL §552.19.

II. **What Does the Client Know?**

   A. **Documents Brought by the Client:** It is the attorney’s job to gather all of the relevant net worth, income, and expense information during the pendency of any case. It often is extremely helpful to have a client bring in copies of recent tax returns, paystubs, bank statements, and other documents bearing numbers that may be lying around the home or office (as well as incriminating love notes, e-mails, text messages, Facebook postings, or videotape), but most clients do not bring anything at all to an initial meeting with an attorney. When clients do bring (or at least have) such information, it is invaluable, but more often than not, this type of information is not available to the divorcing spouse.

   B. **Initial Interview with the Client:** What a client is able to tell an attorney during an initial interview is of critical importance and will guide discovery and investigation throughout the case. It is essential to capture that initial information in an organized and repeatable process so that the attorney knows where this information has been captured and easily can assess what is missing. [See Exhibit #5]
   
      1. The objective of the financially-oriented questions is to gain a rudimentary and preliminary understanding of the client’s net worth, income, and expenses/lifestyle, so that the attorney can assess the issues of property division, child support, and spousal support, and then direct your discovery accordingly from this information.
2. A rough analysis at the initial meeting also will enable the attorney to make an initial assessment about separate property claims from premarital assets, assets received as gifts, and inherited assets. These questions may focus on each spouse’s contributions to the acquisition, maintenance, and improvement of various assets, title to various assets, and the possible commingling of various assets. If there is a prenuptial agreement or a postnuptial agreement, the attorney will need to ask questions designed to assess the validity and potential enforceability of the agreement. (These questions usually focus on the financial disclosure made incident to the execution of the document, when the document was signed in relation to the date of the marriage, the circumstances surrounding the execution of the document, changes in circumstances that may have occurred since the execution of the document, among numerous other related questions.) From this rough analysis, the attorney then will plan to gather information to bolster or thwart claims related to premarital, gifted, and inherited property.

3. Ultimately, specific information will be gathered from a review of personal and business income tax returns, real estate appraisals, mortgages, bank statements, check registers, brokerage accounts, retirement accounts/benefits, and credit card statements, all of which the attorney will obtain during the divorce discovery process.

III. Informal Discovery Tools

A. Early 4-Way Meeting or Mediation: Whether this will be useful or worthwhile depends in large part on the tenor of the case (and the dispositions of the parties and opposing counsel).

1. How amicable is case? How cooperative is opposing counsel?
2. How productive is a meeting with clients and attorneys likely to be? Would it be more productive if the attorneys met alone, without clients? If clients will be present, should everyone be in the same room at the same time?
3. How much is available to spend on this process? Will this save money and time, or end up costing more of both.

B. Witness Interviews: The value of witness interviews depends on how much knowledge the witness has and how trustworthy the witness is. These can be extremely useful if a client access to a cooperative accountant or person with knowledge of the parties’ financial circumstances.

C. Web/Internet: This can be a useful source of information, I end is usually very easy to do. Often, it gives direction to further, formal discovery and follow-up.

D. Friend of the Court

1. Is it ever appropriate to have the Friend of the Court do the job that you were hired to do?
2. What to expect from the Friend of the Court process.
IV. Formal Discovery Tools

A. Interrogatories and Requests to Produce: Obtaining Meaningful Responses
   1. Short Interrogatories vs. Long Interrogatories: Are you going to get meaningful answers if you send out an initial 110 question set of interrogatories and requests for production of documents? [See Exhibits #6a and #6b]
   2. Letter [See Exhibit #6c]

B. Subpoenas [See Exhibit #7]

C. Requests for Admissions [See Exhibit #8]
   1. Carefully limit each request for admission to one single fact
   2. Make sure each request has a follow-up interrogatory that forces an actual answer or bars the introduction of evidence responsive to the request at trial if the request is not answered.

D. Releases Obtained by Request for Production of Documents [See Exhibit #9]

E. Depositions
   1. Do not depose friendly witnesses.
   2. Timing: Threat of taking a deposition sometimes is better than actually taking it.

F. Notices of Inspection Pursuant to MCR 3.210 [See Exhibit #10]
   1. Rarely used and often overlooked.
   2. Can be incredibly valuable in a divorce case.

G. Appraisals
   1. Scope of appraisal/work to be done
   2. Instructions given
   3. Who is performing work (art as much as science)

V. How to Handle Noncooperation from the Other Side

A. Expect it, but that does not mean that it is appropriate to start every case with aggressive, formal discovery.

B. Start with informal discovery if case warrants it.

C. If a trust or cooperation is a problem, proceed quickly with issuing formal discovery, and follow-up with motions to compel production if necessary.

VI. Make Sure There Ultimately Is a Sworn Affirmation of Complete Disclosure of All Assets/Liabilities and Income at the End of the Case
# Matthew and Kristen Jones

## Preliminary Statement of Net Worth

### Assets and Secured Liabilities

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
<th>Marital Equity</th>
<th>To Wife</th>
<th>To Husband</th>
<th>Current As Of</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Real Property</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(JT) JT 120 Maple Rd., Boone's Farms, Michigan</td>
<td>570,000.00</td>
<td></td>
<td>8/16/2010</td>
<td></td>
<td></td>
<td>Wife’s Appraisal</td>
</tr>
<tr>
<td>(JT) Less: INC Mortgage Loan #00476xxxx</td>
<td>(698,415.25)</td>
<td></td>
<td>11/16/2010</td>
<td></td>
<td></td>
<td>H Email of 11/16/10</td>
</tr>
<tr>
<td>(JT) Net Equity</td>
<td>(128,415.25)</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td><strong>Bank and Brokerage Accounts</strong></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>(JT) ING Bank Account #42-3380-xxxx</td>
<td>25,690.52</td>
<td>25,690.52</td>
<td>-</td>
<td></td>
<td>6/30/2010</td>
<td>Statement; primary checking acct.</td>
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<tr>
<td>(JT) ING Joint Checking Account #42-5497-xxxx</td>
<td>40,088.22</td>
<td>40,088.22</td>
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<td>6/18/2010</td>
<td>Statement</td>
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<tr>
<td>(W) ING Checking Account #8203-xxxx</td>
<td>911.63</td>
<td>911.63</td>
<td>-</td>
<td></td>
<td>7/1/2009</td>
<td>Statement</td>
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<tr>
<td>(W) Charles Schwab CMA #617-xxxx</td>
<td>10,080.40</td>
<td>10,080.40</td>
<td>-</td>
<td></td>
<td>5/28/2010</td>
<td>Statement</td>
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<tr>
<td>(JT) Fidelity Resource Mgmt Acct #FB 00705 xx</td>
<td>40,966.00</td>
<td>20,494.50</td>
<td>20,494.50</td>
<td>6/30/2010</td>
<td>Statement (H Email of 6/30/10)</td>
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</tr>
<tr>
<td>(H) Wells Fargo Financial Advisors</td>
<td>83,608.36</td>
<td>41,804.18</td>
<td>41,804.18</td>
<td>10/31/2010</td>
<td>Statement</td>
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<tr>
<td>(H) 3M ESOP Stock (JP Morgan Chase #405-146017-xxx)</td>
<td>81,694.33</td>
<td>40,847.17</td>
<td>40,847.17</td>
<td>10/31/2010</td>
<td>Statement</td>
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<td><strong>Stock and Option Grants</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(H) 3M ESOP (159,075 IBM Stock Options)</td>
<td>1,762,946.25</td>
<td></td>
<td>11/16/2010</td>
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<td>Current Stock Price $11.31/share</td>
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<tr>
<td>Less: Strike Price at $7.10/share</td>
<td>(1,106,712.50)</td>
<td></td>
<td></td>
<td></td>
<td>Strike Price $7.10/share</td>
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<td>Gross Value After Exercise</td>
<td>656,233.75</td>
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<td></td>
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<td>Taxes Due (@ 40% Marginal Tax Rate)</td>
<td>(262,493.50)</td>
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<td>Net After-Tax Value</td>
<td>393,740.25</td>
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<td>393,740.25</td>
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<td><strong>Retirement Accounts</strong></td>
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<tr>
<td>(H) 3M 401 (K)</td>
<td>30,819.57</td>
<td>15,409.79</td>
<td>15,409.79</td>
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<tr>
<td>(H) 3M Savings Plan</td>
<td>19,347.00</td>
<td>9,673.50</td>
<td>9,673.50</td>
<td>4/14/2010</td>
<td>Statement</td>
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<td>(W) Wells Fargo IRA #00702 xx</td>
<td>723.52</td>
<td>723.52</td>
<td></td>
<td></td>
<td>5/28/2010</td>
<td>Statement</td>
</tr>
<tr>
<td><strong>Furnishings and Jewelry</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>(JT) Located at Marital Home</td>
<td>150,000.00</td>
<td>150,000.00</td>
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<td></td>
<td>Estimated</td>
<td></td>
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</table>

**Net Worth**

<table>
<thead>
<tr>
<th>Value</th>
<th>Marital Equity</th>
<th>To Wife</th>
<th>To Husband</th>
<th>Current As Of</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>749,277.55</td>
<td>355,723.42</td>
<td>393,554.13</td>
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<td>749,277.55</td>
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</table>

### Children's Accounts

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
<th>10/30/2009</th>
<th>10/30/2009</th>
<th>Statement</th>
</tr>
</thead>
<tbody>
<tr>
<td>(H) UBS 529 Account (Matthew)</td>
<td>18,000.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(H) UBS 529 Account (James)</td>
<td>17,000.00</td>
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<td></td>
<td></td>
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<tr>
<td>(H) Merrill Lynch (Justin)</td>
<td>10,889.72</td>
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<td></td>
<td></td>
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<tr>
<td>(H) Merrill Lynch (Matthew)</td>
<td>14,752.76</td>
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<td></td>
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</table>

### Husband's Separate Property

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
<th>10/30/2009</th>
<th>10/30/2009</th>
<th>Statement</th>
</tr>
</thead>
<tbody>
<tr>
<td>(H) Residual Interest in Trust for Sarah Jones</td>
<td></td>
<td></td>
<td></td>
<td>Building in Grand Rapids</td>
</tr>
<tr>
<td>(H) Sunny Day LLC (6 1/4%)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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8/7/2011
Page 1 of 1
### Johnson v. Johnson

**Analysis of Pre-Post-Judgment Income Available for Support**

<table>
<thead>
<tr>
<th>Income Source</th>
<th>Family's Current Income</th>
<th>Mr. J's Income</th>
<th>Mrs. J's Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Johnson’s W-2 income</td>
<td>240,000</td>
<td>254,000</td>
<td></td>
</tr>
<tr>
<td>Interest Income</td>
<td>700</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comerica Bank checking #112234455</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comerica Bank savings #112334456</td>
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</tr>
<tr>
<td>Bank of America checking #998776655</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Merrill Lynch #999-66776</td>
<td></td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Wells Fargo #10101010</td>
<td>100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Goldman Sachs #44449999</td>
<td>100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ordinary Interest and Dividends</td>
<td>2,600</td>
<td>2,600</td>
<td></td>
</tr>
<tr>
<td>– Smith Barney Citigroup #44449999</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>– IBM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>– Merrill Lynch #999-66776</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>– Legg Mason #10101010</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Business Income (Schedule C)</td>
<td>10,000</td>
<td></td>
<td>20,000</td>
</tr>
<tr>
<td>Capital gains</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Schedule E</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>– Cottage Rental</td>
<td></td>
<td>-</td>
<td>4,000</td>
</tr>
<tr>
<td>– Johnson Supply, Inc. (50%)</td>
<td>120,000</td>
<td>120,000</td>
<td></td>
</tr>
<tr>
<td>– Hidden Woods Apartments, L.P. (2%)</td>
<td>7,500</td>
<td>2,500</td>
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</tr>
<tr>
<td>– 100 Acre Woods Apartments (3%)</td>
<td>7,500</td>
<td></td>
<td>-</td>
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</tbody>
</table>

**Itemized deductions**

- Mortgage interest
- Real estate taxes
- Gifts to charity

**Totals**

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Family</td>
<td>Post-Divorce</td>
<td>Mrs. J's Income</td>
</tr>
<tr>
<td>388,300</td>
<td>383,300</td>
<td>20,300</td>
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</tbody>
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## Exhibit 3
### Sample Expenses Analysis

**Johnson vs Johnson**  
**Analysis of Pre- and Post-Judgment Lifestyle Expenses**

<table>
<thead>
<tr>
<th>Expense Category</th>
<th>Current Expenditures</th>
<th>Post Divorce</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Weekly</td>
<td>Monthly</td>
<td>Annual</td>
</tr>
<tr>
<td>Mortgage</td>
<td>3,597</td>
<td>3,597</td>
<td>1,463</td>
</tr>
<tr>
<td>Real estate taxes</td>
<td>12,000</td>
<td>1,000</td>
<td>4,000</td>
</tr>
<tr>
<td>Homeowner's insurance</td>
<td>3,285</td>
<td>274</td>
<td>1,114</td>
</tr>
<tr>
<td>Electricity</td>
<td>176</td>
<td>176</td>
<td>7,044</td>
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<tr>
<td>Gas</td>
<td>144</td>
<td>144</td>
<td>5,288</td>
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<tr>
<td>Water/sewer</td>
<td>77</td>
<td>77</td>
<td>2,868</td>
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<tr>
<td>Telephone</td>
<td>113</td>
<td>113</td>
<td>4,584</td>
</tr>
<tr>
<td>Cable TV/Internet</td>
<td>89</td>
<td>89</td>
<td>3,285</td>
</tr>
<tr>
<td>America Online</td>
<td>22</td>
<td>22</td>
<td>880</td>
</tr>
<tr>
<td>Cellular telephone</td>
<td>147</td>
<td>147</td>
<td>5,880</td>
</tr>
<tr>
<td>Alarm/security</td>
<td>25</td>
<td>25</td>
<td>1,000</td>
</tr>
<tr>
<td>Window cleaning</td>
<td>700</td>
<td>58</td>
<td>2,800</td>
</tr>
<tr>
<td>Spring cleanup</td>
<td>500</td>
<td>42</td>
<td>2,000</td>
</tr>
<tr>
<td>Fall cleanup</td>
<td>500</td>
<td>42</td>
<td>2,000</td>
</tr>
<tr>
<td>Pruning/weeding</td>
<td>655</td>
<td>55</td>
<td>2,620</td>
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<tr>
<td>Sprinkler maintenance</td>
<td>400</td>
<td>33</td>
<td>1,200</td>
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<tr>
<td>Lawn maintenance</td>
<td>1,400</td>
<td>117</td>
<td>5,280</td>
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<tr>
<td>Snow removal</td>
<td>450</td>
<td>33</td>
<td>1,650</td>
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<tr>
<td>Annual flowers</td>
<td>560</td>
<td>47</td>
<td>2,240</td>
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<tr>
<td>Tree trimming</td>
<td>975</td>
<td>81</td>
<td>3,855</td>
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<tr>
<td>Routine maintenance</td>
<td>225</td>
<td>225</td>
<td>880</td>
</tr>
<tr>
<td>Flowers in house</td>
<td>15</td>
<td>65</td>
<td>675</td>
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<tr>
<td>Automobile loan</td>
<td>542</td>
<td>542</td>
<td>2,168</td>
</tr>
<tr>
<td>Gasoline</td>
<td>138</td>
<td>138</td>
<td>532</td>
</tr>
<tr>
<td>Automobile insurance</td>
<td>1,342</td>
<td>112</td>
<td>4,456</td>
</tr>
<tr>
<td>Automobile registration</td>
<td>179</td>
<td>15</td>
<td>675</td>
</tr>
<tr>
<td>Automobile washes</td>
<td>5</td>
<td>22</td>
<td>110</td>
</tr>
<tr>
<td>Automobile maintenance</td>
<td></td>
<td>600</td>
<td>2,400</td>
</tr>
<tr>
<td>Groceries</td>
<td>945</td>
<td>945</td>
<td>3,780</td>
</tr>
<tr>
<td>Household supplies</td>
<td>55</td>
<td>55</td>
<td>220</td>
</tr>
<tr>
<td>Lunches out</td>
<td>25</td>
<td>108</td>
<td>1,000</td>
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<tr>
<td>Coffee, etc.</td>
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<td>65</td>
<td>250</td>
</tr>
<tr>
<td>Dining out</td>
<td>350</td>
<td>350</td>
<td>1,350</td>
</tr>
<tr>
<td>Books/school supplies</td>
<td>300</td>
<td>25</td>
<td>1,150</td>
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<tr>
<td>Summer camp for kids</td>
<td>2,400</td>
<td>200</td>
<td>3,840</td>
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<tr>
<td>Clothing - W</td>
<td>18,000</td>
<td>1,500</td>
<td>10,800</td>
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<tr>
<td>Clothing - Kids</td>
<td>12,000</td>
<td>1,000</td>
<td>6,000</td>
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<td>Dry cleaning</td>
<td>35</td>
<td>152</td>
<td>635</td>
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<tr>
<td>Domestic help</td>
<td>160</td>
<td>693</td>
<td>1,068</td>
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<td>Children's haircare</td>
<td>40</td>
<td>40</td>
<td>1,600</td>
</tr>
<tr>
<td>W haircare - cut</td>
<td>45</td>
<td>45</td>
<td>1,800</td>
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<tr>
<td>W haircare - highlights</td>
<td>60</td>
<td>60</td>
<td>3,600</td>
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<tr>
<td>Manicures</td>
<td>14</td>
<td>61</td>
<td>224</td>
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<tr>
<td>Pedicures</td>
<td>45</td>
<td>45</td>
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<td>Cosmetics</td>
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<td>572</td>
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<td>Dental - W</td>
<td>240</td>
<td>240</td>
<td>960</td>
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<tr>
<td>Dental - kids</td>
<td>480</td>
<td>480</td>
<td>1,920</td>
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<td>Prescriptions - W</td>
<td>25</td>
<td>25</td>
<td>125</td>
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<td>Prescriptions - children</td>
<td>10</td>
<td>10</td>
<td>50</td>
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<tr>
<td>Vitamins</td>
<td>20</td>
<td>20</td>
<td>100</td>
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<tr>
<td>Prescriptions - periodic</td>
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<td>20</td>
<td>100</td>
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<td>Children's activities</td>
<td>5,600</td>
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<td>22,420</td>
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<td>Recreation/entertainment</td>
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<td>Dues</td>
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<td>1,250</td>
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<td>Video rentals</td>
<td>20</td>
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</tr>
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<td>Birthday parties/gifts for kids</td>
<td>1,500</td>
<td>125</td>
<td>6,250</td>
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<tr>
<td>Birthday gifts for kids' friends</td>
<td>100</td>
<td>100</td>
<td>5,000</td>
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<tr>
<td>Christmas gifts for kids</td>
<td>2,000</td>
<td>167</td>
<td>7,450</td>
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<tr>
<td>Teacher/bus driver gifts</td>
<td>150</td>
<td>13</td>
<td>615</td>
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<tr>
<td>Gifts for 3rd parties</td>
<td>2,000</td>
<td>167</td>
<td>7,450</td>
</tr>
<tr>
<td>Misc. books/magazines</td>
<td>100</td>
<td>100</td>
<td>5,000</td>
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<tr>
<td>Postage</td>
<td>12</td>
<td>12</td>
<td>72</td>
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</table>
Johnson vs Johnson  
Analysis of Pre- and Post-Judgment Lifestyle Expenses

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<tr>
<th>Expense Category</th>
<th>Current Expenditures</th>
<th>Post Divorce</th>
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</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Weekly</td>
<td>Monthly</td>
<td>Annual</td>
</tr>
<tr>
<td>Church</td>
<td>25</td>
<td>500</td>
<td>40</td>
</tr>
<tr>
<td>Religious school</td>
<td>120</td>
<td>240</td>
<td>42</td>
</tr>
<tr>
<td>Therapist - W</td>
<td>120</td>
<td>240</td>
<td>42</td>
</tr>
<tr>
<td>Therapist - Children</td>
<td>65</td>
<td>65</td>
<td>65</td>
</tr>
<tr>
<td>Tutoring</td>
<td>240</td>
<td>240</td>
<td>240</td>
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<tr>
<td>Tapes, CD’s, DVD, games, etc.</td>
<td>80</td>
<td>346</td>
<td>346</td>
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<tr>
<td>Stationery/Computer supplies</td>
<td>25</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Opticals</td>
<td>450</td>
<td>38</td>
<td>38</td>
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<tr>
<td>Charitable contributions</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>Greeting cards</td>
<td>15</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>Pool maintenance</td>
<td>1,500</td>
<td>125</td>
<td>125</td>
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<tr>
<td>Accounting fees</td>
<td>750</td>
<td>63</td>
<td>63</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>18,342</strong></td>
<td><strong>10,000</strong></td>
<td><strong>10,000</strong></td>
</tr>
</tbody>
</table>
[DATE]

[NAME]
[ADDRESS]
[CITY, STATE, ZIP]

RE:

DEAR [NAME]

I would like you to provide a historical overview of your marriage and its breakdown. I would offer the following categories simply as suggestions and you should feel free to expand upon them, both in subject and content.

Areas of interest would include:

- Circumstances under which you and your husband met, and some description of the nature of the courtship.
- The educational and employment statuses which you and your husband enjoyed at the time you met, and at the time of marriage, with some specific details about occupations, earnings and the like.
- The changes which were wrought upon the marriage relationship by the births of your four children, and the roles which you and your husband played in child-rearing responsibilities.
- A description of how, when and to what extent the marital “lifestyle” changed - that is, specific examples of greater material comforts, etc., as marital income increased.
- Specific details about how you contributed to your husband’s career and business
success, whether in the form of direct services at any given office, the hosting of business-related social functions or holiday parties, etc., attendance at any seminars, conventions or other gatherings.....

- Particulars regarding the marital breakdown with regard to when (or over what period of time), how and why it took place - what “skeletons” are in either closet, includes names, addresses, occupations and so forth for any involved third parties.

- Involvement of either party’s extended family in either business or personal matters (such as business interests, assistance to or interaction with children, etc.)

- Any particular comments which your husband might have made during recent weeks or months which could be used against him, either during negotiations and/or in Court such as threats to “ruin you,” or hide assets, or which suggest any other mischievous or malicious intent or course of conduct.

- A roster of potential witnesses who could be of help in confirming any of your history or whose names, if they appeared on a witness list to be filed with the Court, would be troubling or unsettling to your husband.

The foregoing is designed to be descriptive and not exhaustive - feel free to provide “more rather than less.”

Looking forward to hearing from you, I remain

Very truly yours,
Discovery in Divorce Cases

Exhibit 5
Initial Interview Form

INITIAL INTERVIEW

DATE: ______________, 20____

CLIENT REFERRED BY: __________________________

A. PERSONAL INFORMATION

NAME OF CLIENT: ____________________________

AGE: _______ DATE OF BIRTH: ____________ SS#: ______________________

PLACE OF BIRTH: ____________________________

ADDRESS: (H) __________________________ PHONE: (H) ( )

ADDRESS: (O) __________________________ PHONE: (O) ( )

PHONE: (MOBILE) ( )

NAME OF SPOUSE: ____________________________

AGE: _______ DATE OF BIRTH: ____________ SS#: ______________________

PLACE OF BIRTH: ____________________________

ADDRESS: (H) __________________________ PHONE: (H) ( )

ADDRESS: (O) __________________________ PHONE: (O) ( )

PHONE: (MOBILE) ( )

B. MARITAL FACTS

DATE OF MARRIAGE: ______________, 19__ LENGTH: ______________________

PLACE: _____________________________ BY WHOM: ______________________

RELIGION: (H) __________________ (M) __________________

MAIDEN NAME: ______________________ NAME OF WIFE PRIOR TO MARRIAGE: ______________________

DATE OF SEPARATION: ________________ SEXUAL RELATIONS: _____ PREGNANT: ______

ACTION FILED: ________________ PLAINTIFF: ______ COUNTY: ______ CASE NO. ______

JUDGE: ______________________ OPPOSING COUNSEL: ______________________

COMMENTS: ____________________________________________________________________________
### Prior Marriages

**Husband**

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<thead>
<tr>
<th>Name of Spouse</th>
<th>#1</th>
<th>#2</th>
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</thead>
<tbody>
<tr>
<td>Date of Marriage:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date of Divorce/Death:</td>
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<td></td>
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<tr>
<td>Place:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alimony and Amount:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Names, Ages and Whereabouts of Children:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child Support and Amount:</td>
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</table>

**Wife**

<table>
<thead>
<tr>
<th>Name of Spouse</th>
<th>#1</th>
<th>#2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Marriage:</td>
<td></td>
<td></td>
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<tr>
<td>Date of Divorce/Death:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Place:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alimony and Amount:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Names, Ages and Whereabouts of Children:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child Support and Amount:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Were any children of prior marriage adopted by present spouse:</td>
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**D. CHILDREN OF THIS MARRIAGE**

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<tbody>
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<td>NO</td>
</tr>
<tr>
<td>DATE OF BIRTH:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AGE:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SCHOOL:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>GRADE:</td>
<td></td>
<td></td>
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<tr>
<td>HEALTH:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>REMARKS:</td>
<td></td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>NAME:</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>ADOPTED:</td>
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<td>NO</td>
</tr>
<tr>
<td>DATE OF BIRTH:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AGE:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SCHOOL:</td>
<td></td>
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<td>GRADE:</td>
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<td>HEALTH:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>REMARKS:</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>NAME:</th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>ADOPTED:</td>
<td>YES</td>
<td>NO</td>
</tr>
<tr>
<td>DATE OF BIRTH:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AGE:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SCHOOL:</td>
<td></td>
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<tr>
<td>GRADE:</td>
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<tr>
<td>HEALTH:</td>
<td></td>
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<tr>
<td>REMARKS:</td>
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</table>

<table>
<thead>
<tr>
<th>NAME:</th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>ADOPTED:</td>
<td>YES</td>
<td>NO</td>
</tr>
<tr>
<td>DATE OF BIRTH:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AGE:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SCHOOL:</td>
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<tr>
<td>GRADE:</td>
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<td></td>
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<tr>
<td>HEALTH:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>REMARKS:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**IS CUSTODY AN ISSUE?** | **IS VISITATION AN ISSUE?**

**IF SO, WHAT IS THE NATURE OF THE PROBLEM?**

*H regards W as*

*W regards H as*

**NUPTURING PARENT:** | *H* | *W*

**PREFERENCE OF CHILDREN:** | *H* | *W*

**WHERE HAVE CHILDREN LIVED FOR PAST 5 YEARS:**
E. EDUCATIONAL BACKGROUND

EDUCATION (W):

UNDERGRADUATE: DEGREE: DATE:

GRADUATE SCHOOL: DEGREE: DATE:

GRADUATE SCHOOL: DEGREE: DATE:

EDUCATION (H):

UNDERGRADUATE: DEGREE: DATE:

GRADUATE SCHOOL: DEGREE: DATE:

GRADUATE SCHOOL: DEGREE: DATE:

F. EMPLOYMENT and INCOME

EMPLOYMENT (W):

WORK

DATE COMMENCED: DATE TERMINATED:

MARRIAGE

POSITION:

NATURE OF EMPLOYMENT:

OWNERSHIP:

EMPLOYMENT (H):

WORK

DATE COMMENCED: DATE TERMINATED:

MARRIAGE

POSITION:

NATURE OF EMPLOYMENT:

OWNERSHIP:

(W) EMPLOYMENT: $ OTHER: $

(H) EMPLOYMENT: $ OTHER: $

JOINT/Separate Tax Returns: YEAR(S):

TAXES PAID: YES NO

ANY SPECIAL COMMENTS RE: INCOME:
## Discovery in Divorce Cases

**G. PRE-MARITAL, GIFTED and INHERITED PROPERTY**

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<th>Value</th>
<th>Source</th>
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</tr>
<tr>
<td>Property Owned Prior to Marriage (H)</td>
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<td></td>
</tr>
<tr>
<td>Property Gifted During Marriage (W)</td>
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<td>SOURCE</td>
<td>DATE</td>
</tr>
<tr>
<td>Property Gifted During Marriage (H)</td>
<td>$</td>
<td>SOURCE</td>
<td>DATE</td>
</tr>
<tr>
<td>Property Inherited During Marriage (W)</td>
<td>$</td>
<td>SOURCE</td>
<td>DATE</td>
</tr>
<tr>
<td>Property Inherited During Marriage (H)</td>
<td>$</td>
<td>SOURCE</td>
<td>DATE</td>
</tr>
</tbody>
</table>

**Expectancy:** (W) __________ (H) __________

**Antenuptial Agreement:** Date: __________ What State: __________

**Lawyers:** (H) __________ (W) __________

**Copy in File:** YES __________ NO __________

**Remarks:**

---

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H. SUPPORT ARRANGEMENTS

EXPENSES:

MORTGAGE, TAXES, INS. (M.H.):

$____________________

UTILITIES (M.H.): $____________________

MORTGAGE, TAXES, INS. (OTHER): $____________________

UTILITIES (OTHER): $____________________

FOOD: $____________________

CLOTHING: $____________________

TRANSPORTATION: $____________________

TRAVEL AND ENTERTAINMENT: $____________________

OTHER: $____________________

TOTAL ANNUAL EXPENSES: $____________________

GENERAL PROCEDURE FOR PAYMENT OF EXPENSES:

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

SUPPORT ORDER NECESSARY:

IF SO, WHAT IS EXPECTATION PER MONTH?

HUSBAND’S PROCLIVITY RE: MONEY:

_________________________________________________________________

_________________________________________________________________

WIFE’S PROCLIVITY RE: MONEY:

_________________________________________________________________

_________________________________________________________________

SUPPORT OBLIGATIONS FOR OTHERS:

_________________________________________________________________

_________________________________________________________________

PROBLEMS WITH MONEY IN MARRIAGE:

_________________________________________________________________

_________________________________________________________________

STATUS OF HEALTH INSURANCE (INSURED AND CARRIER):

_________________________________________________________________
# Discovery in Divorce Cases

<table>
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<th>T</th>
<th>I</th>
<th>ASSETS</th>
<th>Date Purchased</th>
<th>Basis</th>
<th>Fair Market Value</th>
<th>Encumbrances</th>
<th>Net</th>
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</tr>
</tbody>
</table>
J. GENERAL PROBLEMS IN MARRIAGE

________________________ ABOUT _____________________

________________________

________________________

________________________

________________________

________________________

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________________________

________________________

________________________

________________________

________________________

________________________

________________________

________________________

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________________________

________________________

________________________

________________________

________________________

MARRIAGE COUNSELING? ____________________ WITH WHOM? ____________________

FROM ____________________ TO ____________________

POSSIBILITY OF RECONCILIATION? ____________________

PRECIPITATING FACTOR(S)? ____________________

OFFERS OF AND DISCUSSIONS RE: SETTLEMENT? ____________________
K. ADVICE AND OBJECTIVES

1. DIVORCE: __________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________

2. CUSTODY AND VISITATION: _________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________

3. CHILD SUPPORT: _________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________

4. ALIMONY: _________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________

5. PROPERTY DIVISION: _____________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________

6. ATTORNEY FEES: _________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________

7. GENERAL ADVICE: _______________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________

8. OTHER: __________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________
Discovery in Divorce Cases

Exhibit 6a
Sample First Interrogatories to Wife

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

DONNA W. SMEAD,

Plaintiff,

- vs -

HON.

ROBERT DANIEL SMEAD,

Defendant.

THE LAW FIRM OF.

BY: ________________ (P24546)
________________ (P01234)

Attorneys for Plaintiff
1234 Sapling Street
Big Town, Michigan  48123
(248) 123-1111

THE LAW FIRM OF JOHN F. SCHAEFER
BY: B. ANDREW RIFKIN (P46147)

Attorneys for Defendant
380 North Old Woodward Avenue  Suite 320
Birmingham, Michigan 48009
(248) 642-6655

DEFENDANT'S FIRST INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF
NOW COMES ROBERT DANIEL SMEAD, Defendant herein, by THE LAW FIRM OF JOHN F. SCHAEFER, her attorneys, and files the following Interrogatories and Request for Production of Documents to be answered by Plaintiff separately and fully in writing under oath within twenty eight (28) days from the date of service, pursuant to the applicable Michigan Court Rules.

INSTRUCTIONS

These answers are to include such information as is available to you and/or such information as can be obtained by you from employer(s), agents, representatives, accountants, private investigators, attorneys, lessees, sureties and/or any other person, firm, corporation or entity who is in possession of or who may have obtained information for or on behalf of you or with whom you have dealt in connection with the subject matter covered by these Interrogatories; demand is further made for production and attachment of all documents requested herein.

If any Interrogatory cannot be answered fully, please answer to the extent possible and explain why you are unable to answer fully.

When the identification of any document is requested, give the date, the identity of the author or addressor, the identity of the addressee, the identity of the person presently in custody, control or possession thereof, the title and/or identifying code, and state whether you will produce a copy upon request without the necessity of a court order. In lieu of such identification, you may attach such documents to your answers to these Interrogatories.

When the identification of any person is requested, please give the name, current address, and telephone number.

Please take notice that these Interrogatories shall be deemed to be continuing so as to require supplemental answers should you or anyone acting on your behalf obtain further information after the submission of answers hereto which would tend to change, alter, or modify, wholly or in part, any such answer. Said supplemental answers shall be served upon the undersigned counsel immediately upon receipt of such information.
DEFINITIONS

As used herein:

1. "Person" includes any individual, corporation, partnership, trust or any other form of business entity; and

2. "Document" includes all written, audio, graphic, magnetic, digital, analog, video matter, or electronic media of every kind and description, however produced or reproduced, whether draft or final, original or reproduction, in the actual or constructive possession, custody or control of you, including, but not limited to, letters, correspondence, memoranda, notes, files, transcripts, contracts, agreements, licenses, memoranda of telephone conversations or personal conversations, statements, notices, regulations, directives, financial statements, ledgers, books of accounts, working papers, recordings of materials similar to any of the foregoing however denominated by you, and including writings, charts, records and data processing results, printouts and computations, and other compilations. The term "document" shall also include all copies of each document if the copies contain any additional writing or are not identical copies of the original.
INTERROGATORIES

1. Please state your:
   a. Driver’s License Number;
   b. Social security number;
   c. Present address;

   ANSWER:

2. Identify all of your assets in balance sheet form, with fair market values listed, including, but not necessarily limited to, all real property in which you have an interest, cash, bank accounts, stock, brokerage accounts, business interests, retirement accounts of any kind or nature, motor vehicles, amounts owed to you, pending lawsuits in which you are the plaintiff and any other personal property, or choses in action, the value of which exceeds $1,000.00.

   ANSWER:

3. List all of your liabilities, including, but not limited to, unsecured personal debts, debts secured by collateral, credit cards, open charges or any other obligation, including those on which you have acted or are obligated as guarantor or surety.

   ANSWER:
4. Provide the tax basis for any property you own which has appreciated in value and which would incur a capital gains tax upon sale.

**ANSWER:**

5. Provide copies of any documentation (e.g., statements of accounts and/or appraisals) which support your answers to interrogatories #2, #3, and #4.

**ANSWER:**

6. What, in your opinion, was the fair market value of all assets owned by you as of the date of your present marriage? What is the basis for this figure? What means did you employ to determine this figure? Supply all supporting documentation.

**ANSWER:**

7. List any real property in which you or your spouse, individually or jointly with any other person or entity, now have any interest of any kind and supply the following information for each parcel:
   a. Street number or other common identification;
b. A copy of the deed to each property;
c. Purchase price;
d. Current tax basis;
e. Provide copies of all documents that evidence an adjustment to your tax basis in the property;
f. Attach a copy of the most recent tax statement on said property;
g. Current fair market value;
h. Provide all appraisals, evaluations, assessments, etc. for all real property owned by you or your spouse, individually or jointly with any other person or entity, made or performed during the past two (2) years which are in your possession or which are under your control, including any reports made by experts; and
i. List all encumbrances thereon, including amount and name of creditor.

ANSWER:

8. State whether or not you derive any income from any property described in your answer to Interrogatory No. 7 and, if so, for each please state
   a. The gross amount of this income annually before any deductions;
   b. The nature and amount of any deductions taken for expenses, depreciations, etc.;
   c. The nature of income (i.e., rent);
   d. The account number and institution to which such income is deposited; and
   e. The name and address of the person and/or entity who is the source of such income.
   f. Attach copies of all applicable lease agreements, land contracts, etc.

ANSWER:
9. Provide copies of all account statements for the past two (2) years for any bank, brokerage firm, securities dealer, or retirement plan for accounts owned by you (whether individually or jointly with any other person or entity) and/or your spouse or on which you and/or your spouse have signing privileges.

ANSWER:

10. Provide copies of all account statements for the past two (2) years for any charge account, credit line account, credit card account, debit card account, instalment account, liability, or loan for any debt guaranteed by you (whether individually or jointly with any other person or entity) and/or your spouse or on which you and/or your spouse have charging and/or check-writing privileges.

ANSWER:

11. List all gifts in excess of $500.00 made by you and/or your spouse in the past three (3) years to anyone other than an immediate family member, and provide:
   a. The name of the recipient;
   b. The amount of the gift;
   c. The date of the gift;
   d. The source of the funds;
   e. The reason for the gift; and
   f. Copies of all related gift tax returns and/or documents evidencing each gift.

ANSWER:
12. For any person or entity, public or private, that owes (or owed during the past two (2) years) you money or any other thing of value (including income tax refunds due), state for each:
   a. The nature of the obligation;
   b. The name and address of each person or entity liable, including guarantors;
   c. The original amount of the obligation; The current amount owed and as of the close of each of the two (2) preceding years;
   d. The date the obligation was incurred;
   e. The date the obligation becomes (became) due;
   f. The manner in which repayment is to be (was) made;
   g. If repayment was made, state where the funds were deposited and/or what you did with the monies so received; and
   h. State with specificity the terms of said contract and whether the same be oral or written [please attach a copy of the mortgage(s),lien(s), or other indicia of indebtedness, including, but not limited to, all amortization schedules].

**ANSWER:**

13. List any indebtedness, including accounts payable, of any and all businesses listed in your answer to Interrogatory No. 12 and for each please state:
   a. Name of business;
   b. Name and address of creditor;
   c. Nature of original credit (loan, mortgage, etc.);
   d. Amount of original indebtedness;
   e. Present balance;
   f. Date acquired;
   g. State with particularity the reason for the indebtedness; and
h. Provide documentation for any indebtedness mentioned above in the form of books and records, tax returns, invoices, etc.

**ANSWER:**

14. Identify any trust in which you or your spouse, individually or jointly with any other person or entity, possess any interest of any kind, direct or indirect, legal or equitable, vested or contingent.

**ANSWER:**

15. List all life insurance policies of which you are the owner or have the right to name beneficiaries and for each please state:
   a. Name and address of company and policy number;
   b. Date acquired;
   c. Name of insured;
   d. Name of current beneficiary;
   e. Face value;
   f. Current tax basis;
   g. Current cash surrender value;
   h. Annual premium;
   i. Amount of all loans against the policy and the date that each loan was incurred;
   j. Type of insurance (term, whole life, etc.);
   k. Amount of any accumulated dividends;
   l. Whether the beneficiary can be changed; and
   m. Whether said policy is included in any trust. If so, state the name of the trust and the trustee's name and address and provide a copy of the trust agreement.

**ANSWER:**
16. Have you in the past ten (10) years, for any reason, supplied to any financial institution a personal net worth statement, or a statement of financial condition for any of your business or investment interests?
   a. If so, please attach to the answers to these interrogatories a copy of the personal net worth statement which you supplied to the financial institution and give the name and address of the financial institution that this statement was supplied to;
   b. If not, please attach to the answers to these interrogatories a copy of your personal net worth statement for said period, which has been sworn to by you under oath.

ANSWER:

17. List any and all foreign and domestic banks and/or other financial institutions in which you have or have had in the past two (2) years checking accounts, savings accounts, money market accounts, Certificates of Deposit, IRA accounts or any other types of funds deposited and/or in which you are or were in the past two (2) years authorized to deposit or withdraw funds and for each please state:
   a. Name, address and branch of bank or institution;
   b. Account number;
   c. Provide copies of all savings account passbooks and statements reflecting deposits, withdrawals, and account balances in any bank, savings and loan association, credit union, money market fund or other depository, or for certificates of deposit, whether such account has been held by you or your spouse individually or jointly with any other person or entity, during the past two (2) years.
   d. Provide copies of all monthly checking account statements provided by your banks or other institutions on which you have drawn checks or similar instruments, and all of your cancelled checks, check stubs, and check registers, reflecting all transactions in any account on which your name or your spouse's
Discovery in Divorce Cases

name appears, individually or jointly with any other person or entity, during the past two (2) years.

e. Provide evidence of ownership of all certificates of deposit, money market certificates or other such property or accounts held by you or your spouse individually or jointly with any other person or entity, during the past two (2) years.

ANSWER:

18. Please list all credit cards held in your name or in the name of any other person and/or entity on which you are authorized to charge for the past two (2) years and for each please state:

a. In whose name the card is held;
b. Issuing company or entity (i.e., VISA, MasterCard, Discover, Amoco, etc.);
c. Address of the issuing company;
d. The account number;
e. Any others who are authorized to charge on this account; and
f. Attach all statements for each credit card for the past two (2) years.

ANSWER:

19. Have you in the past year deposited or withdrawn any funds into or from any bank or financial accounts on which your name did not appear? If so, for each account please state:

a. Name, address and branch of bank or financial institution;
b. Name under which each account was held;
c. Account number;
d. Date and amount of each deposit or withdrawal made by you;
e. Authority under which you made each withdrawal, if any; and
f. Attach all statements and cancelled checks for each such account for the past two (2) years.

**ANSWER:**

20. Do you have any joint financial accounts of any nature whatsoever with any person other than your spouse or your children? For each such person and each such account, please identify:

   a. The full name and residential address of that person, including street address, city, state, and zip code;
   b. The financial institution and account number for the account and the date on which you first established that account;
   c. The reason for establishing such an account; and
   d. Any documents demonstrating opening of the account.

**ANSWER:**

21. Are there any orders or judgments in your favor in any action by or against you at this time?

   a. Have the proceeds of any judgments been assigned to you? If so, state with particularity.
   b. Do you have any lawsuit, right, interest or prospect of pecuniary advantage or disadvantage pending or which may become pending in the courts of this or other state, or in the federal courts?

**ANSWER:**
22. Are you or have you been a plaintiff or defendant in any criminal or civil action now pending in any Court, other than this action for divorce? If so, for each please state:
   a. Nature of case;
   b. Title of case;
   c. Court of jurisdiction;
   d. Docket number; and
   e. Date suit filed.

   **ANSWER:**

23. Are you contributing to the support of any person other than your current spouse and children of this marriage (if any), whether related to you by blood or otherwise, including alimony and child support, or have you done so during the past two (2) years? If so, please state for each:
   a. The amount of support per week or per month;
   b. When this obligation commenced;
   c. When this obligation will terminate; and
   d. Account number and institution from which you paid such support.

   **ANSWER:**
24. Attach complete copies of any and all federal, state, and local income and intangibles tax returns filed by you (including those filed in jurisdictions other than the U.S.) with respect to the past six (6) taxable years, including all schedules, attachments, work papers, and supporting documentation generated and/or used in preparing any documents or tax returns requested herein (without regard to the title of the statement or schedule).

**ANSWER:**

25. List any private clubs to which you belong and for each please state:
   a. Name and address of club;
   b. Initiation fees;
   c. Whether or not you have a stock interest in the club, and if so, its present value; and
   d. Length of your association and/or membership with each such club.

**ANSWER:**

26. List all vehicles, including but not limited to automobiles, aircraft, boats, motorcycles, trailers, which you own, you lease, or you operate on a regular basis and for each please state:
   a. Year;
   b. Make;
   c. Model;
   d. Mileage;
   e. Purchase price;
   f. Present value;
   g. List the amount of all encumbrances and the name and address of each creditor; and
   h. Attach a copy of the registration and title for each vehicle.
ANSWER:

27. Do you claim that any personal property, real property, or sum of money owned by you and/or your spouse is the separate property or partially separate property of you or your spouse? If so, please state for each item:
   a. Description of property;
   b. The owner of the separate property;
   c. Location of property;
   d. Present value of property;
   e. Date and method of acquisition of property;
   f. Source of funds used to acquire property;
   g. Name and address of each person who has an ownership interest in said property; and
   h. The facts upon which you base your claim that the property is your separate property.
   i. Provide all documentation which supports your position.
   j. If you or any or your agents and/or employees are in possession of any property which you believe to be the separate property of your spouse, provide a list of all such property, and state how you or your agents and/or employees came into possession of such property.

ANSWER:

28. During your present marriage have you inherited any property, real estate, money or other items? If so, for each please state:
   a. Date you received inheritance;
   b. Present value;
c. Whether or not you are the sole owner;
d. Description of property;
e. Location of property at present time; and
f. Whether or not any of the assets from said inheritance were merged or commingled with other assets belonging to you or your spouse and the date of said commingling.

ANSWER:

29. Provide in detail the monthly living expenses for you and for your spouse, including but not limited to:

a. Mortgage payments;
b. Real estate taxes;
c. Homeowner’s insurance;
d. Electricity;
e. Gas;
f. Telephone;
g. Water;
h. Sewer;
i. Cable television;
j. Assessments;
k. Household maintenance/repairs;
l. Lawn maintenance;
m. Security;
n. Sprinklers;
o. Snow removal;
p. Trash removal;
q. Window cleaning;
r. Carpet cleaning;
s. Decorating;
t. Domestic help;
u. Household products/supplies;
v. Exterminator;
w. Groceries;
x. Dining out;
y. Clothing;
z. Laundry and dry cleaning;
aa. Automobile payments;
bb. Automobile insurance;
c. Gasoline and oil:
dd. Automobile repairs/maintenance;
ee. Hair care;
ff. Manicures;
gg. Personal grooming;
hh. Medical insurance;
ii. Medical care;
jj. Medications:
kk. Dental care;
ll. Education;
mm. Life insurance;
nn. Recreation and entertainment;
oo. Club dues;
pp. Club expenses;
qq. Travel;
rr. Gifts;
ss. Contributions;
tt. Newspapers;
uu. Magazines;
vv. Books;
ww. Floral arrangements;
xx. Car washes;
yy. Cellular telephone;
zz. Video rentals;
aaa. Film and developing;
bbb. Postage and shipping;
ccc. Jewelry insurance;
ddd. Accounting fees;
ee. Legal fees;
fff. Other regular expenses (please itemize).

**ANSWER:**
30. Supply all supporting documentation in support of the foregoing expenses.

ANSWER:

31. Please state with particularity what health, accident and hospitalization insurance policies you now have in full force and effect upon which spouse and minor children are eligible. State the name of the company, the policy numbers, contract number, group number by whom they are held and by whom they are owned.

ANSWER:

32. Have you executed a Last Will and Testament? If so, please state:
   a. The date of execution;
   b. The place of execution;
   c. The date of revocation, if any;
   d. The date of each codicil and amendment;
   e. A description of each specific bequest or devise, including a description of the property and the name and address of the beneficiary;
   f. The name of each person receiving the residuary bequest;
   g. A description and each testamentary trust in the Will, including a description of the property, name and address of the Trustee and name and address of each beneficiary;
Discovery in Divorce Cases

h. The name and address of each attorney who prepared the Will and Codicils to the Will;
i. The present location of the Will and each Codicil and Amendment; and
j. Please produce a copy of your Last Will and each Codicil, Amendment or Trust document contained therein.

ANSWER:

33. If you or your spouse have, or have had, during the past four (4) years, an interest in any qualified or non-qualified retirement, deferred benefit or compensation plan, including, but not otherwise limited to, Individual Retirement Accounts, corporate savings plans, pension/profit sharing plans, stock option plans, severance benefits, accumulated leave time or annuities, state for each:

a. The name of the plan;
b. The date your interest commenced and the date vested;
c. Total contributions, to date;
d. A description of the benefit;
e. The current value of the account or benefit and as of the close of each of the two (2) preceding years;
f. The name of the employer, if any, contributing to the plan;
g. The portion of the account or benefit that is vested;
h. Copies of all account statements that you have received within the past two (2) years;
i. A current inventory of all assets in your account and a description of provisions;
j. A statement of all declared but unpaid bonuses and the date payable; and
k. Please attach hereto any plan descriptions received from your employer relative to these plans in the last two (2) years along with a complete copy of the plan and any evaluations done on the plan in the last two (2) years.

ANSWER:
34. State whether any person or entity is holding any property for your benefit or in your behalf, either as nominee, Trustee or in any other capacity and, if so, for each please state:
   a. Description of the property so held;
   b. Value of the property; and
   c. The name and address of the person or entity holding such property.

**Answer:**

35. State whether or not you transferred to a Trustee, nominee or any other person or entity for your benefit or for the benefit of any other person or entity, any property of any kind, regardless of where it is situated, during the past four (4) years and, if so, for each please state:
   a. A description of the property;
   b. The value of the property;
   c. The name and address of the person or entity to whom the property was transferred; and
   d. The reason for such transfer.

**Answer:**

36. State whether or not you are now receiving an annuity or have any vested or contingent right to receive an annuity and, if so, for each please state:
Discovery in Divorce Cases

a. The source or company;
b. The address of the company;
c. Policy number, if any;
d. The fact amount of the annuity;
e. The amount of the monthly payment;
f. Date when payment will commence; and
g. When said payment will terminate.

**ANSWER:**

37. State whether or not you have ever had a power of attorney or appointment in respect to any property of any kind and, if so, identify the same stating how it was acquired and describe the property which is the subject of such power.

**ANSWER:**

38. Please provide the following information regarding each and every lay witness you may call at trial:
   a. Name, address, and telephone number; and
   b. Specific nature of anticipated testimony.

**ANSWER:**
39. Provide the following information with respect to each expert you expect to call to testify in this case as to any matter at issue in these proceedings. Set forth the subject matter on which the expert is expected to testify, the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

a. Name, address, telephone number,
b. Provide a copy of the person’s curriculum vitae,
c. Profession,
d. Education,
e. Employment Background,
f. Subject Matter of Testimony, and
g. Substance of Facts and Opinions and the Grounds Therefor.

**ANSWER:**

40. State in detail what you allege to be the factors and circumstances which led to the breakdown of the marital relationship between you and your spouse, including specific facts, actions, dates of occurrence, the persons involved, and the persons witnessing such events.

**ANSWER:**
41. During your present marriage did you prepare or have prepared any records, reports, accounts, journals, or similar documents showing your and/or your spouse’s income, expenses, assets, liabilities, source and use of funds, income/expense analyses, receipts and disbursements (without regard to the title of the document(s))? If so, describe each record and state the name and address of the person who now has custody of it. Provide copies of all such documents in your possession or under your control.

**ANSWER:**

42. Was any business in which you ever had any interest of any kind discontinued, or was your interest terminated? If so, state:
   a. The name of the business,
   b. The date of discontinuance or termination,
   c. The reason for discontinuance or termination, and
   d. The amount of money you received as a result of the discontinuance or termination.

**ANSWER:**

43. Do you have any insurance coverage not listed in answer to these interrogatories? If so, for each policy of insurance, state:
   a. The name and address of the insurance company,
   b. The type and amount of coverage,
   c. The effective date of the policy,
   d. The policy number, and
e. The amount of the monthly premium.

**ANSWER:**

44. Provide copies of all documents in your possession that were authored by your present spouse, written by your present spouse, or signed by your present spouse.

**ANSWER:**

45. Do you now or have you ever owned any assets that are located outside of the United States? If so, for each please state:

a. A complete description of the assets, including account numbers (if applicable);

b. The present location of such assets;

c. Date of Acquisition;

d. Acquisition price and/or value;

e. Type of ownership;

f. Present value; and

g. If such asset was sold or otherwise transferred during the past four(4) years, state the date of such transaction and the value received;

**ANSWER:**
46. Provide copies of all documents, as defined above, in your possession that may be introduced into evidence at the trial of this matter.

**ANSWER:**

47. Provide copies of all documents, as defined above, in your possession that may be introduced for purposes of impeachment at the trial of this matter.

**ANSWER:**

48. Provide copies of your appointment book(s) and personal calendar(s) for the last three complete calendar years and the current calendar year.

**ANSWER:**
49. For each safe deposit box or other depository, including but not otherwise limited to any strong box, desk drawer or safe, in your name individually, in your name jointly, or in the name of any entity (e.g., partnership, corporation, trust or LLC) to which you have or had access or use, during the past four (4) years, state:
   a. The location of the box or depository and the identifying number;
   b. The name(s) in which it is registered and who, in addition to yourself, has access to the box or depository; and
   c. The contents of the box or depository.

**ANSWER:**

50. Provide copies of any valuations or appraisals of any of your personal, business, or investment interests (including those of entities engaged in the same or a similar line of business) whether direct or indirect, legal or equitable, vested or contingent, including, but not otherwise limited to, assets held in trust or through corporations or partnerships, prepared by you or for your benefit, or for the benefit of any trustee(s) of a shareholder, partner or member, or shareholder(s), officer(s), director(s), creditors(s), etc., during the past four (4) years;

**ANSWER:**

51. If you believe that your spouse is entitled to less than one-half of your combined assets, please state the following:
   a. What percentage of your combined assets do you believe that she is entitled to?
   b. State the complete factual basis upon which you assert that she is entitled to less than one-half of your combined assets.
52. Do you believe that you are capable of supporting yourself at the conclusion of this case without any financial assistance whatsoever from your spouse?

ANSWER:

53. Please list all addresses (aside from properties owned by you) at which, during the past 12 months, you have stayed overnight. For each such address, please also state:
   a. The street address, city, state, and zip code;
   b. The dates of your stay;
   c. Whether you were a non-paying guest or paid for your stay;
   d. If you were a non-paying guest, the name and address of any person and/or institution of whom you were a guest and the reason that you were permitted to stay as a guest;
   e. If you were a paid guest, the terms of the arrangement, including the amount of payment and the name and address of any person and/or institution whom you pay, the method by which you paid – such as cash, check, or specific credit card, including the account number – and any documents demonstrating the terms of the arrangement; and
   f. The names and identities (including addresses and phone numbers) of all persons who stayed at the location with you.

ANSWER:
54. Please list and identify all states or countries that you have visited or travelled to during the past 12 months. For each such visit or trip, please also state:
   a. The dates of your trip;
   b. The purpose for your trip;
   c. The means of transportation that you used to make each trip and the method by which you paid for the trip – such as cash, check, or specific credit card, including the account number – along with the identity of the entity providing transportation, the entity brokering the transportation reservation, and any documents demonstrating the terms of the transportation arrangement; and
   d. The names and identities (including addresses and phone numbers) of all persons who travelled with you or met you at the destination; and
   e. The names and identities (including addresses and phone numbers) of all persons for whom you paid for transportation and/or provided the funds for those persons to meet you at that destination.

**ANSWER:**

55. From the date of your present marriage until the present date, have you ever had any sexual contact with anyone other than your spouse? For each person with whom you have had any sexual contact (other than your spouse), please identify:

   a. The full name and residential address of that person, including street address, city, state, and zip code;
   b. The date on which you first met that person;
   c. The first date on which you had sexual contact with that person;
   d. The most recent date on which you have had sexual contact with that person;
e. The locations – including complete address – at which you have had sexual contact with that person; and
f. Whether you ever have had sexual intercourse with that person, and if so, when.

ANSWER:

56. For each person identified in your answer to interrogatory #58, above, please identify each expense paid for that person or gift with a value in excess of $100 that you have given to each person identified in the preceding interrogatory. For each such gift, please also identify:

a. Whether the gift was purchased and from where it was purchased;
b. The date on which the gift was purchased;
c. The purchase price of the gift;
d. The reason for purchasing and giving the gift; and
e. Any documents demonstrating the purchase of the gift.

ANSWER:

57. Do you currently have more than one cellular telephone which you use on a regular basis for texting, e-mail, and/or telephone conversations? If so, please state the telephone number of each such telephone, the service provider, the date that each telephone was obtained, the name of the individual and/or entity in whose name the phone is registered, and the reason you have more one cellular telephone which you use on a regular basis.
58. Provide the names, addresses, and telephone numbers of all persons with whom you consulted and/or discussed your answers to these interrogatories.

**ANSWER:**

59. Have you answered all of the foregoing interrogatories to the best of your information, knowledge, and belief?

**ANSWER:**

60. If you did not answer the foregoing interrogatories within twenty-eight (28) days of the date last shown below, please state each and every reason why you did not answer the foregoing interrogatories within twenty-eight (28) days of the date last shown below.

**ANSWER:**
“The answers to these interrogatories and the documents furnished in connection therewith are true and accurate to the best of my knowledge, information and belief.”

__________________________
DONNA MARIE SMEAD

THE LAW FIRM OF JOHN F. SCHAEFER

BY: B. ANDREW RIFKIN (P46147)

Attorneys for Defendant
380 North Old Woodward Avenue  Suite 320
Birmingham, Michigan  48009
(248) 642-6655
**PROOF OF SERVICE**

I hereby certify that a copy of the foregoing document was served on all counsel of record at his or her address(es) of record by:

_____ Facsimile
_____ U.S. Mail
_____ Hand-delivery

on this ____ day of _____________, 2010

________________________
Discovery in Divorce Cases

Exhibit 6b
Sample First Interrogatories to Husband

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

SALLY L. SMEAD,
Plaintiff,

-vs-

HON.

ROBERT SMEAD,
Defendant.

AND ASSOCIATES, P.C.
BY: ______________ (P23456)
Attorneys for Plaintiff
xxxxxxxx Woodward Avenue
Royal Oak, Michigan 48068
(248) 123-1234

THE LAW FIRM OF JOHN F. SCHAEFER
BY: B. ANDREW RIFKIN (P46147)
Attorneys for Defendant
380 North Old Woodward Avenue Suite 320
Birmingham, Michigan 48009
(248) 642-6655

DEFENDANT'S FIRST INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF
NOW COMES ROBERT SMEAD, Defendant herein, by THE LAW FIRM OF JOHN F. SCHAEFER, her attorneys, and files the following Interrogatories and Request for Production of Documents to be answered by Plaintiff separately and fully in writing under oath within twenty eight (28) days from the date of service, pursuant to the applicable Michigan Court Rules.

INSTRUCTIONS

These answers are to include such information as is available to you and/or such information as can be obtained by you from employer(s), agents, representatives, accountants, private investigators, attorneys, lessees, sureties and/or any other person, firm, corporation or entity who is in possession of or who may have obtained information for or on behalf of you or with whom you have dealt in connection with the subject matter covered by these Interrogatories; demand is further made for production and attachment of all documents requested herein.

If any Interrogatory cannot be answered fully, please answer to the extent possible and explain why you are unable to answer fully.

When the identification of any document is requested, give the date, the identity of the author or addressor, the identity of the addressee, the identity of the person presently in custody, control or possession thereof, the title and/or identifying code, and state whether you will produce a copy upon request without the necessity of a court order. In lieu of such identification, you may attach such documents to your answers to these Interrogatories.

When the identification of any person is requested, please give the name, current address, and telephone number.

Please take notice that these Interrogatories shall be deemed to be continuing so as to require supplemental answers should you or anyone acting on your behalf obtain further information after the submission of answers hereto which would tend to change, alter, or modify, wholly or in part, any such answer. Said supplemental answers shall be served upon the undersigned counsel immediately upon receipt of such information.
DEFINITIONS

As used herein:

1. "Person" includes any individual, corporation, partnership, trust or any other form of business entity; and

2. "Document" includes all written, audio, graphic, magnetic, digital, analog, video matter, or electronic media of every kind and description, however produced or reproduced, whether draft or final, original or reproduction, in the actual or constructive possession, custody or control of you, including, but not limited to, letters, correspondence, memoranda, notes, files, transcripts, contracts, agreements, licenses, memoranda of telephone conversations or personal conversations, statements, notices, regulations, directives, financial statements, ledgers, books of accounts, working papers, recordings of materials similar to any of the foregoing however denominated by you, and including writings, charts, records and data processing results, printouts and computations, and other compilations. The term "document" shall also include all copies of each document if the copies contain any additional writing or are not identical copies of the original.
INTERROGATORIES

1. Please state your:
   a. Driver’s License Number;
   b. Social security number;
   c. Present address;
   d. State whether you are renting, leasing, buying, etc.; and
   e. The terms of the above arrangement, including the amount of monthly payment and the name and address of any person and/or institution to whom you make such payments.

   ANSWER:

2. Identify all of your assets in balance sheet form, with fair market values listed, including, but not necessarily limited to, all real property in which you have an interest, cash, bank accounts, stock, brokerage accounts, business interests, retirement accounts of any kind or nature, motor vehicles, amounts owed to you, pending lawsuits in which you are the plaintiff and any other personal property, or choses in action, the value of which exceeds $500.00.

   ANSWER:

3. List all of your liabilities, including, but not limited to, unsecured personal debts, debts secured by collateral, credit cards, open charges or any other obligation, including those as guarantor or surety.

   ANSWER:
4. Provide the tax basis for any property you own which has appreciated in value and which would incur a capital gains tax upon sale.

**ANSWER:**

5. Provide copies of all documentation (e.g., statements of accounts and/or appraisals) which support your answers to interrogatories #2, #3, and #4.

**ANSWER:**

6. What, in your opinion, was the fair market value of all assets owned by you as of the date of your present marriage? What is the basis for this figure? What means did you employ to determine this figure? Supply all supporting documentation.

**ANSWER:**
7. List any real property in which you or your spouse, individually or jointly with any other person or entity, now have any interest of any kind and supply the following information for each parcel:
   
a. Street number or other common identification;
   
b. A copy of the deed to each property;
   
c. Purchase price;
   
d. Current tax basis;
   
e. Provide copies of all documents that evidence an adjustment to your tax basis in the property;
   
f. Attach a copy of the most recent tax statement on said property;
   
g. Current fair market value;
   
h. Provide all appraisals, evaluations, assessments, etc. for all real property owned by you or your spouse, individually or jointly with any other person or entity, made or performed during the past two (2) years which are in your possession or which are under your control, including any reports made by experts; and
   
i. List all encumbrances thereon, including amount and name of creditor.

**ANSWER:**

8. State whether or not you derive any income from any property described in your answer to Interrogatory No. 7 and, if so, for each please state
   
a. The gross amount of this income annually before any deductions;
   
b. The nature and amount of any deductions taken for expenses, depreciations, etc.;
   
c. The nature of income (i.e., rent);
   
d. The account number and institution to which such income is deposited; and
   
e. The name and address of the person and/or entity who is the source of such income.
   
f. Attach copies of all applicable lease agreements, land contracts, etc.

**ANSWER:**
9. Provide statements of account received from any bank, brokerage firm, other securities dealer, or retirement plan for accounts owned by you and/or your spouse, individually or jointly with any other person or entity, during the past two (2) years.

**ANSWER:**

10. List all gifts in excess of $500.00 made by you and/or your spouse in the past three (3) years, including the name of the recipient, amount of the gift, date of the gift, source of the funds, and the reason for the gift; and provide copies of all related gift tax returns and documents evidencing each gift.

**ANSWER:**

11. For any person or entity, public or private, that owes (or owed during the past two (2) years) you money or any other thing of value (including income tax refunds due), state for each:
   a. The nature of the obligation;
   b. The name and address of each person or entity liable, including guarantors;
   c. The original amount of the obligation; The current amount owed and as of the close of each of the two (2) preceding years;
   d. The date the obligation was incurred;
   e. The date the obligation becomes (became) due;
   f. The manner in which repayment is to be (was) made;
   g. If repayment was made, state where the funds were deposited and/or what you did with the monies so received; and
h. State with specificity the terms of said contract and whether the same be oral or written [please attach a copy of the mortgage(s), lien(s), or other indicia of indebtedness, including, but not limited to, all amortization schedules].

**ANSWER:**

12. For any corporations, limited liability corporations, professional corporations, partnerships, limited partnerships, sole proprietorships, joint ventures, unincorporated associations, or any other business entity in which you or your spouse, individually or jointly with any other person or entity, possess any interest of any kind, direct or indirect, legal or equitable, vested or contingent, please produce the following information:
   a. Name and address of the business and principal place of business;
   b. Date on which you first acquired your interest;
   c. State the date and jurisdiction of formation;
   d. Type of business in which it is engaged (i.e., manufacturing, land investments, etc.);
   e. The type of business (i.e., corporation, partnership or sole proprietorship, etc.);
      i. If a corporation, the type (i.e., Sub-Chapter S, professional, closely held) (please attach a copy of the Certificate of Incorporation and the Articles of Incorporation);
      ii. If a partnership, whether general or limited [please attach a copy of the partnership agreement(s)];
      iii. If a sole proprietorship, the county in which the assumed name is registered; and
      iv. If doing business under an assumed name or any unincorporated association, the county in which the assumed name is registered.
   f. Provide a list of the legal and beneficial owners of each entity as of the date of this interrogatory and as of the end of each year for the last four (4) years. Include name, class of shares, number of shares, and percentage ownership for all owners listed;
   g. Describe any changes in ownership, capital, or equity structure and the reasons therefor during the last four (4) years;
h. Produce an organization chart indicating ownership of the company (name, address, class of ownership, and percentage ownership);

i. Produce a management organization chart, listing all directors and executive officers of the company;

j. Provide all federal, state, and local income, franchise, capital stock, and ad valorem tax returns for the past four (4) years. Include returns for any similar taxes imposed by jurisdictions outside of the U.S.;

k. Provide copies of all audited and unaudited financial statements and annual reports, complete with all disclosures and footnotes, for the last four (4) years. Provide all such statement(s)/report(s), whether prepared, reviewed, compiled, attested, etc., internally or externally. Provide all such statements/reports, whether prepared on a separate company basis, or to the extent included (in whole or in part) in a statement(s)/report(s) prepared on a consolidated, consolidating, or combined basis;

l. Provide copies of all internally prepared financial statements (including information normally included in an Income Statement, Balance Sheet, Statement of Cash Flows, and Sources and Uses of Funds (without regard to the title of the statement or schedule)) for the last four (4) years. Provide all such statement(s), whether prepared on a separate company basis, or to the extent included (in whole or in part) in a statement(s) prepared on a consolidated, consolidating, or combined basis;

m. Provide detailed trial balances and general ledgers for the past four (4) years;

n. Provide complete copies of all interim financial statements, trial balances, and general ledgers (without regard to the title of the statement or schedule) prepared since the most recent statements, trial balances, and general ledger provided pursuant to Items k, l, and m above;

o. Provide an inventory detailing all assets held by the business as of the close of the past four (4) years and as of the date of this interrogatory.

p. Provide copies of all statements with respect to cash accounts, investments and investment accounts (e.g., bank statements, brokerage statements, etc.) for each of the last four (4) years;

q. Provide copies and details of all receivables, and any related security agreement(s), to which the business was a party during the past four (4) years. If the receivable was generated in connection with the sale of assets, provide details of such sale and a copy of the purchase/sales agreement;

r. For corporate entities, provide the following:

i. The articles of incorporation (or equivalent for entities formed in jurisdictions outside of the U.S.) and any amendments thereto (certified).

ii. Copies of all stock options, rights, warrants, or any agreements relating to voting rights, stock purchase rights or registration rights including any and
all agreements by and among stockholders, or between stockholders and the business, existing at any time during the past four (4) years;

iii. Copies of all statements with respect to investments and investment accounts (e.g., bank statements, brokerage statements, etc.) for each of the last four (4) years;

iv. Produce copies of the minutes of meetings held and written consents of (a) stockholders, (b) board of directors, (c) executive committee, (d) audit committee, (e) loan committee and (f) other policy committees of the company for the last four (4) years.

v. Provide copies of all existing buy-sell agreements by and between the company, and its respective stockholders.

vi. Provide copies of all stockholders agreements.

s. For partnerships, LLC’s, business trusts, provide the following:

i. The partnership agreement (or equivalent document for an LLC, business trust, etc.) and any amendments thereto or restatements thereof;

ii. Copies of all agreements relating to rights ascribed to equity interests, including any agreements by and among partners or members or between partners or members and the business, existing at any time during the past four (4) years;

iii. A schedule and documentation of distributions made with respect to equity interests during the last four (4) years indicating amount, nature and recipient;

iv. A schedule and documentation for all contributions made to the capital of the business during each of the past four (4) years indicating amount, nature and contributor;

t. Provide a list and description of any assets not reflected in the business’ financial statements, general ledger, and trial balance as of the close of each of the preceding four (4) years;

u. Provide all joint venture and partnership agreements to which the business is or has been a party during the last four (4) years. If any agreement has not been reduced to writing (in whole or in part), provide details of such agreement;

v. For all receivables generated in connection with a sale of assets, or a restructuring or transfer of an equity interest during the last four (4) years, provide a copy of the purchase/sales agreement, receivable (e.g. note) and any related security agreement;

w. Provide all valuations, appraisals, or similar reports on any assets or equity interest (including the assets or equity interest(s) of an entity(s) engaged in the same or a similar line of business) prepared for your benefit or for the benefit of the trustee(s) of a shareholder, shareholder(s), partner(s), member(s), officer(s), director(s) or creditor(s), etc. of the business, which were prepared (in whole or in
part) internally, by investment banking firms, securities analysts, or management
or similar consultants, during the last four (4) years;

x. Provide a schedule of all payments made by the business to you or to any entity in
which you hold an interest of any kind, direct or indirect, legal or equitable,
vested or contingent, in consideration for services rendered or for the use of
property (tangible or intangible) during the last four (4) years;

y. Provide details of all related party (e.g. affiliates, shareholders, partners,
members, beneficiaries, etc.) transactions during the past four (4) years;

z. Provide all SEC, FTC, or other government regulatory agency (including those in
jurisdictions other than the U.S.) filings/reports (e.g. Form 10K, Hart-Scott-
Rodino) made during the past four (4) years;

aa. Provide an estimate of the fair market value of the business's equity as of
December 31, 1999, and an explanation, including supporting documentation, of
the valuation methodology.

bb. List any and all real estate in which the business has an interest, including leasing
interest and for each please state:
   i. Location and legal description of the property (please attach a copy of the
deed and/or lease agreement);
   ii. When the property was purchased;
   iii. Purchase price;
   iv. Amount of any encumbrances upon the property [please attach a copy of
any mortgage(s) or lien(s)];
   v. Any other amounts owing upon the property;
   vi. Fair market value of the property (please attach a copy of all appraisals);
   vii. Amount of insurance you cover on any of the real property listed herein;
   viii. Size or dimension of the real property (i.e., number of acres, square
footage, etc.); and
   ix. Attach a recent tax statement.

cc. List any real property which the business has sold or transferred within the past
four (4) years, and for each please state:
   i. Location and legal description of the property transferred or sold;
   ii. Date of the transfer or sale;
   iii. Sale price;
   iv. Amount of gain or loss resulting from the transfer or sale; and
   v. Reason for the transfer or sale.

dd. Produce copies of forecasts, budgets, or projections, whether prepared internally
or by outside consultants, during the past four (4) years.
ee. Disclose any change in accounting methods or principals (book or tax) made during the past four (4) years. Provide copies of any related filings in support of such changes.

ff. Produce copies of any and all financial statements and other documents filed with banks, savings and loan, thrift, or other lending institutions with respect to loan applications, whether or not the loan was made during the past four (4) years.

gg. Disclose any offers made to purchase the company's stock or assets during the past four (4) years.

hh. List all trademarks, trade names, and fictitious business names owned or used in the company's business during the past four (4) years, and copies of foreign, U.S., federal or state registrations.

ii. List all patents owned, used, or applied for by the company during the past four (4) years.

jj. List all copyrights claimed by the company; and copies of filings and documentation used to protect the same.

kk. List all trademarks, trade names, patents, copyrights, trade secrets, and other proprietary rights licensed from others at any time during the past four (4) years; provide copies of all license and sublicense agreements.

ll. Produce a schedule of all other intangibles, if any, held by the company including, but not limited to, trade secrets, formulae, shipping rights, service marks, inventions, and technical information during the past four (4) years.

mm. Produce a schedule of insurance (including copies of policies) by:
   i. Coverage (workers' compensation, general liability, auto, property, executive risk, umbrella, keyman life, health, etc.);
   ii. Carrier and policy number;
   iii. Contract period;
   iv. Policy limits;
   v. Claims made versus incurred provisions;
   vi. Exclusions; and
   vii. Retention.

nn. List the name(s) and address(es) of return preparer(s) and consultant(s) for each of the past four (4) years.

oo. List all banking relations/descriptions of services (including names and addresses).

pp. Produce all press releases issued by the company during the past four (4) years.

qq. Disclose the location(s) of company records and the name of the person(s) in custody of same.
13. List any indebtedness, including accounts payable, of any and all businesses listed in your answer to Interrogatory No. 12 and for each please state:
   a. Name of business;
   b. Name and address of creditor;
   c. Nature of original credit (loan, mortgage, etc.);
   d. Amount of original indebtedness;
   e. Present balance;
   f. Date acquired;
   g. State with particularity the reason for the indebtedness; and
   h. Provide documentation for any indebtedness mentioned above in the form of books and records, tax returns, invoices, etc.

**ANSWER:**

14. Provide the requested information for any trust in which you or your spouse, individually or jointly with any other person or entity, possess any interest of any kind, direct or indirect, legal or equitable, vested or contingent:
   a. A list of beneficiaries as of the date of this interrogatory and as of the end of each year from inception through the present. Include name, nature of interest, and percentage ownership for all beneficiaries listed. Describe any changes in beneficial interests and the reasons therefor;
   b. Federal, state, and local income, franchise, capital stock, intangible and ad valorem tax returns for the past four (4) years. Include returns for any similar taxes imposed by jurisdictions outside of the U.S.;
   c. Copies of all audited and unaudited financial statements and annual reports, complete with all disclosures and footnotes, for the last four (4) years. Provide all such statements/reports, whether prepared, reviewed, compiled, attested, etc., internally or externally. Provide all such statement(s)/report(s), whether prepared on a separate company basis, or to the extent included (in whole or in part) in a statement(s)/report(s) prepared on a consolidated, consolidating or combined basis;
d. Copies of all internally prepared financial statements (including information normally included in an Income Statement, Balance Sheet, Statement of Cash Flows, and Sources and Uses of Funds (without regard to the title of the statement or schedule)) for the last four (4) years. Provide all such statement(s), whether prepared on a separate company basis, or to the extent included (in whole or in part) in a statement(s) prepared on a consolidated, consolidating or combined basis;

e. An inventory detailing all assets held by the trust as of the date of this interrogatory and as of the close of each of the past four (4) years;

f. The trust agreement and all amendments and restatements;

g. A list of the name(s) and address(es) of each current trustee and a summary of any changes in trustee(s) during the past four (4) years;

h. A schedule and supporting documentation for all additions to trust corpus during the past four (4) years, indicating amount, nature and transferor;

i. A schedule and supporting documentation for all distributions from the trust during the past four (4) years, indicating amount, nature and recipient.

j. A schedule (including descriptions) of any assets (tangible or intangible) not reflected in the trusts' financial statements, general ledger and trial balance as of the close of each of the preceding four (4) years;

k. Joint venture and partnership agreements to which the trust is or has been a party during the last four (4) years. If any agreement has not been reduced to writing (in whole or in part), provide details of such agreements;

l. Copies of any filings, correspondence and reports made with any foreign, federal, state or local judicial authority (e.g., probate) during the past four (4) years;

m. All valuations, appraisals or similar reports on any assets or equity interest(s) prepared for the benefit of the trustee(s) of any partner or member, shareholder(s), beneficiary(s), officer(s), director(s), partner(s), member(s) or creditor(s), etc. of the business, which were prepared (in whole or in part) internally, by investment banking firms, securities analysts, or management or similar consultants, during the last four (4) years;

n. A schedule of all payments made by the trust to you or to any entity in which you hold an interest of any kind, direct or indirect, legal or equitable, vested or contingent, in consideration for services rendered or for the use of property (tangible or intangible);

o. Detail of all related party (e.g. affiliates, shareholders, partners, members, beneficiaries, etc.) transactions during the past four (4) years;

p. Explanation of actual procedures employed with respect to any distributions including, but not limited to, how requests (written or oral) for distributions were made, by whom such requests were made, and to whom such requests were directed. Provide copies of any related correspondence to/from the trustee(s) with respect to such distributions.
q. An estimate of the fair market value of the trust corpus as of the current date, and an explanation, including supporting documentation, of the valuation methodology.

**ANSWER:**

15. List all life insurance policies of which you are the owner or have the right to name beneficiaries and for each please state:

   a. Name and address of company and policy number;
   b. Date acquired;
   c. Name of insured;
   d. Name of current beneficiary;
   e. Face value;
   f. Current tax basis;
   g. Current cash surrender value;
   h. Annual premium;
   i. Amount of all loans against the policy and the date that each loan was incurred;
   j. Type of insurance (term, whole life, etc.);
   k. Amount of any accumulated dividends;
   l. Whether the beneficiary can be changed; and
   m. Whether said policy is included in any trust. If so, state the name of the trust and the trustee's name and address and provide a copy of the trust agreement.

**ANSWER:**
16. Have you in the past ten (10) years, for any reason, supplied to any financial institution a personal net worth statement, or a statement of financial condition for any of your business or investment interests?
   a. If so, please attach to the answers to these interrogatories a copy of the personal net worth statement which you supplied to the financial institution and give the name and address of the financial institution that this statement was supplied to;
   b. If not, please attach to the answers to these interrogatories a copy of your personal net worth statement for said period, which has been sworn to by you under oath.

**ANSWER:**

17. List any and all foreign and domestic banks and/or other financial institutions in which you have or have had in the past two (2) years checking accounts, savings accounts, money market accounts, Certificates of Deposit, IRA accounts or any other types of funds deposited and/or in which you are or were in the past two (2) years authorized to deposit or withdraw funds and for each please state:
   a. Name, address and branch of bank or institution;
   b. Account number;
   c. Provide copies of all savings account passbooks and statements reflecting deposits, withdrawals, and account balances in any bank, savings and loan association, credit union, money market fund or other depository, or for certificates of deposit, whether such account has been held by you or your spouse individually or jointly with any other person or entity, during the past two (2) years.
   d. Provide copies of all monthly checking account statements provided by your banks or other institutions on which you have drawn checks or similar instruments, and all of your canceled checks, check stubs, and check registers, reflecting all transactions in any account on which your name or your spouse's name appears, individually or jointly with any other person or entity, during the past two (2) years.
   e. Provide evidence of ownership of all certificates of deposit, money market certificates or other such property or accounts held by you or your spouse individually or jointly with any other person or entity, during the past two (2) years.
Discovery in Divorce Cases

ANSWER:

18. Please list all credit cards held in your name or in the name of any other person and/or entity on which you are authorized to charge for the past two (2) years and for each please state:
   a. In whose name the card is held;
   b. Issuing company or entity (i.e., VISA, MasterCard, Discover, Amoco, etc.);
   c. Address of the issuing company;
   d. The account number;
   e. Any others who are authorized to charge on this account; and
   f. Attach all statements for each credit card for the past two (2) years.

ANSWER:

19. Have you in the past year, or has anyone on your behalf, deposited or withdrawn any funds into or from any bank or financial accounts on which your name did not appear? If so, for each account please state:
   a. Name, address and branch of bank or financial institution;
   b. Name under which each account was held;
   c. Account number;
   d. Date and amount of each deposit or withdrawal made by you;
   e. Authority under which you made each withdrawal, if any; and
f. Attach all statements and cancelled checks for each such account for the past two (2) years.

**ANSWER:**

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20. Do you have any lawsuit, right, interest or prospect of pecuniary advantage or disadvantage pending or which may become pending in the courts of this or other state, or in the federal courts? If so, please describe same with particularity.

**ANSWER:**

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21. Are there any orders or judgments in your favor in any action by or against you at this time? Have the proceeds of any judgments been assigned to you? If so, state with particularity.

**ANSWER:**

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22. Are you a plaintiff or defendant in any criminal or civil action now pending in any Court other than this action for divorce? If so, for each please state:
   a. Nature of case;
Discovery in Divorce Cases

23. Are you contributing directly or indirectly to the support of any person – other than your current spouse and children (if any) of this current marriage – including but not limited to direct support payments, indirect payments to a third party (including by way of example but not by way of limitation the payment of housing costs and related expenses, food, healthcare, utilities, and/or automotive expenses), alimony, and/or child support, or have you done so during the past two (2) years? If so, please state for each:
   a. The amount of money paid per week or per month, to whom, and for what reason;
   b. For each payment, when these payments commenced, and a detailed list of dates, items and amounts as well as source of funds;
   c. For each payment, when these payments will terminate; and
   d. If applicable, all account numbers and institutions to which you have paid or currently pay such support.

   ANSWER:

24. Supply the following information as to your employment for the past five (5) years and for each employer please state:
   a. Name and address of employer;
   b. Nature of employer's business;
c. Title and duties;
d. Date employment commenced;
e. Business address;
f. Method and amount of compensation for each of the past five (5) years and for the year to date;
g. Amount of any bonus or bonuses received in the past five (5) years and in this year to date and approximate amount of bonus you expect to receive attributable to this year;
h. Details of each and every fringe benefit received by you or any family member, including any perquisites received (e.g., use of company credit cards, company automobiles, company airplanes, security, etc.) stating the nature of the benefit and its actual value or estimated value if actual value cannot be quantified precisely;
i. Terms and conditions of any profit sharing plan, pension plan or any other deferred compensation plan available to you, whether or not you are presently taking advantage of said plan(s). Attach the most recent copy of statements detailing the benefits, plan summaries and complete plan(s);
j. Attach a copy of any written agreement relative to the terms of your employment;
k. Attach a copy of any expense reimbursement checks made payable to you for the past 12 months; and
l. Attach a copy of each of your paystubs for the last 12 months.

ANSWER:

25. Attach complete copies of any and all federal, state, and local income and intangibles tax returns filed by you (including those filed in jurisdictions other than the U.S.) with respect to the past six (6) taxable years, including all schedules, attachments, work papers, and supporting documentation generated and/or used in preparing any documents or tax returns requested herein (without regard to the title of the statement or schedule).

ANSWER:
26. List any private clubs to which you belong and for each please state:
   a. Name and address of club;
   b. Initiation fees;
   c. Whether or not you have a stock interest in the club, and if so, its present value; and
   d. Length of your association and/or membership with each such club.

   **ANSWER:**

27. List all vehicles, including but not limited to automobiles, aircraft, boats, motorcycles, trailers, which you own, you lease, or you operate on a regular basis and for each please state:
   a. Year;
   b. Make;
   c. Model;
   d. Mileage;
   e. Purchase price;
   f. Present value;
   g. List the amount of all encumbrances and the name and address of each creditor; and
   h. Attach a copy of the registration and title for each vehicle.

   **ANSWER:**
28. Do you claim that any personal property, real property, or sum of money owned by you and/or your spouse is the separate property or partially separate property of you or your spouse? If so, please state for each item:
   a. Description of property;
   b. The owner of the separate property;
   c. Location of property;
   d. Present value of property;
   e. Date and method of acquisition of property;
   f. Source of funds used to acquire property;
   g. Name and address of each person who has an ownership interest in said property; and
   h. The facts upon which you base your claim that the property is your separate property.
   i. Provide all documentation which supports your position.
   j. If you or any of your agents and/or employees are in possession of any property which you believe to be the separate property of your spouse, provide a list of all such property, and state how you or your agents and/or employees came into possession of such property.

**ANSWER:**

29. During your present marriage have you inherited any property, real estate, money or other items? If so, for each please state:
   a. Date you received inheritance;
   b. Present value;
   c. Whether or not you are the sole owner;
   d. Description of property;
   e. Location of property at present time; and
   f. Whether or not any of the assets from said inheritance were merged or commingled with other assets belonging to you or your spouse and the date of said commingling.
ANSWER:

30. List your spouse’s monthly living expenses in detail including but not limited to:

   a. Mortgage payments;
   b. Real estate taxes;
   c. Homeowner’s insurance;
   d. Electricity;
   e. Gas;
   f. Telephone;
   g. Water;
   h. Sewer;
   i. Cable television;
   j. Assessments;
   k. Household maintenance/repairs;
   l. Lawn maintenance;
   m. Security;
   n. Sprinklers;
   o. Snow removal;
   p. Trash removal;
   q. Window cleaning;
   r. Carpet cleaning;
   s. Decorating;
   t. Domestic help;
u. Household products/supplies;
v. Exterminator;
w. Groceries;
x. Dining out;
y. Clothing;
z. Laundry and dry cleaning;
aa. Automobile payments;
bb. Automobile insurance;
cc. Gasoline and oil:
dd. Automobile repairs/maintenance;
ee. Hair care;
ff. Manicures;
gg. Personal grooming;
hh. Medical insurance;
i. Medical care;
jj. Medications:
kk. Dental care;
ll. Education;
mm. Life insurance;
nn. Recreation and entertainment;
oo. Club dues;
pp. Club expenses;
qq. Travel;
rr. Gifts;
ss. Contributions;
tt. Newspapers;
uu. Magazines;
vv. Books;
ww. Floral arrangements;
xx. Car washes;
.yy. Cellular telephone;
zz. Video rentals;
aaa. Film and developing;
Discovery in Divorce Cases

bbb. Postage and shipping;
ccc. Jewelry insurance;
ddd. Accounting fees;
eee. Legal fees;
fff. Other regular expenses (please itemize).

**ANSWER:**

31. Supply all supporting documentation in support of the foregoing expenses.

**ANSWER:**

32. Provide the names, addresses, and telephone numbers of all persons with whom you consulted and/or discussed your answers to these interrogatories.

**ANSWER:**

33. Please state with particularity what health, accident and hospitalization insurance policies you now have in full force and effect upon which spouse and minor children are eligible. State the name of the company, the policy numbers, contract number, group number by whom they are held and by whom they are owned.

**ANSWER:**

34. Have you executed a Last Will and Testament? If so, please state:
   a. The date of execution;
b. The place of execution;
c. The date of revocation, if any;
d. The date of each codicil and amendment;
e. A description of each specific bequest or devise, including a description of the property and the name and address of the beneficiary;
f. The name of each person receiving the residuary bequest;
g. A description and each testamentary trust in the Will, including a description of the property, name and address of the Trustee and name and address of each beneficiary;
h. The name and address of each attorney who prepared the Will and Codicils to the Will;
i. The present location of the Will and each Codicil and Amendment; and
j. Please produce a copy of your Last Will and each Codicil, Amendment or Trust document contained therein.

ANSWER:

35. If you or your spouse have, or have had, during the past four (4) years, an interest in any qualified or non-qualified retirement, deferred benefit or compensation plan, including, but not otherwise limited to, Individual Retirement Accounts, corporate savings plans, pension/profit sharing plans, stock option plans, severance benefits, accumulated leave time or annuities, state for each:

a. The name of the plan;
b. The date your interest commenced and the date vested;
c. Total contributions, to date;
d. A description of the benefit;
e. The current value of the account or benefit and as of the close of each of the two (2) preceding years;
f. The name of the employer, if any, contributing to the plan;
g. The portion of the account or benefit that is vested;
h. Copies of all account statements that you have received within the past two (2) years;
i. A current inventory of all assets in your account and a description of provisions;
j. A statement of all declared but unpaid bonuses and the date payable; and
k. Please attach hereto any plan descriptions received from your employer relative to these plans in the last two (2) years along with a complete copy of the plan and any evaluations done on the plan in the last two (2) years.

**ANSWER:**

36. State whether any person or entity is holding any property for your benefit or in your behalf, either as nominee, Trustee or in any other capacity and, if so, for each please state:
   a. Description of the property so held;
   b. Value of the property; and
   c. The name and address of the person or entity holding such property.

**ANSWER:**

37. State whether or not you transferred to a Trustee, nominee or any other person or entity for your benefit or for the benefit of any other person or entity, any property of any kind, regardless of where it is situated, during the past four (4) years and, if so, for each please state:
   a. A description of the property;
   b. The value of the property;
   c. The name and address of the person or entity to whom the property was transferred; and
   d. The reason for such transfer.
38. State whether or not you are now receiving an annuity or have any vested or contingent right to receive an annuity and, if so, for each please state:
   a. The source or company;
   b. The address of the company;
   c. Policy number, if any;
   d. The fact amount of the annuity;
   e. The amount of the monthly payment;
   f. Date when payment will commence; and
   g. When said payment will terminate.

   ANSWER:

39. State whether or not you have ever had a power of attorney or appointment in respect to any property of any kind and, if so, identify the same stating how it was acquired and describe the property which is the subject of such power.

   ANSWER:
40. Please provide the following information regarding each and every lay witness you may call at trial:
   a. Name, address, and telephone number; and
   b. Specific nature of anticipated testimony.

ANSWER:

41. Provide the following information with respect to each expert you expect to call to testify in this case as to any matter at issue in these proceedings. Set forth the subject matter on which the expert is expected to testify, the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.
   a. Name, address, telephone number,
   b. Provide a copy of the person’s curriculum vitae,
   c. Profession,
   d. Education,
   e. Employment Background,
   f. Subject Matter of Testimony, and
   g. Substance of Facts and Opinions and the Grounds Therefor.

ANSWER:

42. State in detail what you allege to be the factors and circumstances which led to the breakdown of the marital relationship between you and your spouse, including specific
facts, actions, dates of occurrence, the persons involved, and the persons witnessing such events.

\textbf{ANSWER:}

43. During your present marriage did you prepare or have prepared any records, reports, accounts, journals, or similar documents showing your and/or your spouse’s income, expenses, assets, liabilities, source and use of funds, income/expense analyses, receipts and disbursements (without regard to the title of the document(s))? If so, describe each record and state the name and address of the person who now has custody of it. Provide copies of all such documents in your possession or under your control.

\textbf{ANSWER:}

44. Was any business in which you ever had any interest of any kind discontinued, or was your interest terminated? If so, state:
   a. The name of the business,
   b. The date of discontinuance or termination,
   c. The reason for discontinuance or termination, and
   d. The amount of money you received as a result of the discontinuance or termination, and copies of all agreements and/or documents related to your receipt of money as a result of the discontinuance or termination.
c. What was the value of this business and your interest upon its termination, and how were those values determined? Provide copies of all documentation in existence which supports the valuation(s).

f. Did you receive the full value of your interest in the business upon its termination? If not, why?

g. Provide copies of all agreement(s) pertaining to the operation and/or ownership of the entity, as well as copies of all buyout and/or termination agreements.

**ANSWER:**

45. Do you have any insurance coverage not listed in answer to these interrogatories? If so, for each policy of insurance, state:

a. The name and address of the insurance company,

b. The type and amount of coverage,

c. The effective date of the policy,

d. The policy number, and

e. The amount of the monthly premium.

**ANSWER:**

46. What, in your opinion, is the fair market value of all assets owned by you as of this date? What is the basis for this figure? What means did you employ to determine this figure? Supply all supporting documentation.

**ANSWER:**
47. Provide copies of all documents in your possession that were authored by your present spouse, written by your present spouse, or signed by your present spouse.

**ANSWER:**

48. Do you now or have you ever owned any assets that are located outside of the United States? If so, for each please state:
   a. A complete description of the assets, including account numbers (if applicable);
   b. The present location of such assets;
   c. Date of Acquisition;
   d. Acquisition price and/or value;
   e. Type of ownership;
   f. Present value; and
   g. If such asset was sold or otherwise transferred during the past four(4) years, state the date of such transaction and the value received;

**ANSWER:**
49. During the past four (4) years have you co-signed, guaranteed, or otherwise acted as a surety on a loan for any person or business that was not otherwise disclosed in these interrogatories? If so, please state the following:
   a. The nature and extent of your obligation;
   b. The date on which you became obligated;
   c. The name(s) of the person(s) on whose behalf you are so obligated;
   d. The name(s) of the person(s) to whom you are so obligated; and
   e. The present status of each obligation.

**ANSWER:**

50. Provide copies of all documents, as defined above, in your possession that may be introduced into evidence at the trial of this matter.

**ANSWER:**

51. Provide copies of all documents, as defined above, in your possession that may be introduced for purposes of impeachment at the trial of this matter.

**ANSWER:**

52. Provide copies of your appointment book(s) and personal calendar(s) for the last three complete calendar years and the current calendar year.
53. For each safe deposit box or other depository, including but not otherwise limited to any strong box, desk drawer or safe, in your name individually, in your name jointly, or in the name of any entity (e.g., partnership, corporation, trust or LLC) to which you have or had access or use, during the past four (4) years, state:

   a. The location of the box or depository and the identifying number;
   b. The name(s) in which it is registered and who, in addition to yourself, has access to the box or depository; and
   c. The contents of the box or depository.

54. Provide copies of any valuations or appraisals of any of your personal, business, or investment interests (including those of entities engaged in the same or a similar line of business) whether direct or indirect, legal or equitable, vested or contingent, including, but not otherwise limited to, assets held in trust or through corporations or partnerships, prepared by you or for your benefit, or for the benefit of any trustee(s) of a shareholder, partner or member, or shareholder(s), officer(s), director(s), creditors(s), etc., during the past four (4) years;

   ANSWER:
55. If you believe that your spouse is entitled to less than one-half of your combined assets, please state the following:
   a. What percentage of your combined assets do you believe that she is entitled to?
   b. State the complete factual basis upon which you assert that she is entitled to less than one-half of your combined assets.

   ANSWER:

56. Do you believe that your spouse is capable of supporting herself at the conclusion of this case without any financial assistance whatsoever from you?

   ANSWER:

57. Do you believe that you are capable of supporting yourself at the conclusion of this case without any financial assistance whatsoever from your spouse?

   ANSWER:

58. Please list all addresses at which, during the past 18 months, you have resided or stayed for more than seven consecutive days. For each such address, please also state:
a. The street address, city, state, and zip code;
b. The dates of your stay;
c. Whether you were a guest or were renting, leasing, buying, etc.;
d. If you were renting, leasing, buying, etc., the terms of the above arrangement, including the amount of payment and the name and address of any person and/or institution whom you pay, and any documents demonstrating the terms of the arrangement;
e. If you were a guest, the name and address of any person and/or institution of whom you were a guest and the reason that you were permitted to stay as a guest.

**ANSWER:**

59. Please list and identify all states or countries that you have visited or travelled to during the past 18 months. For each such visit or trip, please also state:
a. The dates of your trip;
b. The purpose for your trip;
c. The means of transportation that you used to make each trip;

**ANSWER:**

60. From the date of your marriage to the Plaintiff until the present date, have you ever had any sexual contact with anyone other than the Plaintiff? For each person with whom you have had any sexual contact (other than the Plaintiff), please identify:
Discovery in Divorce Cases

a. The full name and residential address of that person, including street address, city, state, and zip code;
b. The date on which you first met that person;
c. The first date on which you had sexual contact with that person;
d. The most recent date on which you have had sexual contact with that person; and
e. Whether you ever have had sexual intercourse with that person, and if so, when.

ANSWER:

61. For each person identified in your answer to the immediately preceding interrogatory, please identify, for each transaction with a value in excess of $100, all gifts that you have given or payments that you have made on behalf of each person identified in the preceding interrogatory. For each such gift or payment, please also identify:

a. Whether the gift was purchased or payment was made and from where or to whom;
b. The date on which the gift was purchased or payment made;
c. The cost of the gift or payment made;
d. The reason for purchasing and giving the gift or making the payment; and
e. Any documents demonstrating the purchase of the gift or the payment made.

ANSWER:

62. Do you have any joint financial accounts of any nature whatsoever with any person other than the Plaintiff or your children? For each such person and each such account, please identify:

a. The full name and residential address of that person, including street address, city, state, and zip code;
b. The financial institution and account number for the account and the date on which you first established that account;

c. The reason for establishing such an account; and

d. Any documents demonstrating opening of the account.

**ANSWER:**

63. Have you answered all of the foregoing interrogatories to the best of your information, knowledge, and belief?

**ANSWER:**

64. If you did not answer the foregoing interrogatories within twenty-eight (28) days of the date last shown below, please state each and every reason why you did not answer the foregoing interrogatories within twenty-eight (28) days of the date last shown below.

**ANSWER:**
“The answers to these interrogatories and the documents furnished in connection therewith are true and accurate to the best of my knowledge, information and belief.”

__________________________________
SALLY L. SMEAD

THE LAW FIRM OF JOHN F. SCHAEFER

BY: ________________________
B. ANDREW RIFKIN (P46147)
Attorneys for Defendant
380 North Old Woodward Avenue  Suite 320
Birmingham, Michigan  48009
(248) 642-6655

Dated:  November 17, 2009.
PROOF OF SERVICE

I hereby certify that a copy of the foregoing document was served on all counsel of record at his or her address(es) of record by:

_____ Facsimile
_____ U.S. Mail
_____ Hand-delivery

on this ___ day of _____________, 2009
Discovery in Divorce Cases

Exhibit 6c
Sample Discovery Letter

August 7, 2011

Via Facsimile and U.S. Mail

Mr. Jack Jones, Esq.
2655 Blue Bird Drive
Oakland Hills, Michigan 48326

Re: Smith v. Smith

Dear Jack:

The following is a detailed list of the information that we need from your client in order to preliminarily assess this matter and begin to move forward:

1. Income tax returns for tax years 2006 through 2010 from both Germany and the United States, and provisional information for 2011, including all K-1’s and 1099’s;

2. A current sworn net worth statement with respect to any and all assets and liabilities of either or both parties, including:
   a. A list of all real property in which either party has an interest, including the complete address of the property, a copy of the deed for each property, the purchase price, the tax basis, an assessment of the fair market value of the property, and any appraisals Mr. Smith may have for each property inside and outside the United States;
   b. A list of any encumbrances that Mr. Smith claims exists against any of the real properties identified above;
   c. A list of all liabilities of the parties both inside and outside the United States; and
   d. For any business interests owned by Mr. Smith or in which Mr. Smith
have an interest of any kind, a list of each such business, a description of the business operations, and any and all financial statements and tax returns for each such business interest for the last three years for interests both inside and outside the United States;

3. A complete list of all sources of income which Mr. Smith received in 2010, including the payor, the date of the payment, and the amount of income received from each payor.

4. If Mr. Smith claims that any property of the parties is his separate property, a description of the property Mr. Smith claims is separate, the present value of the property, the date and method of acquisition of the property, including the source of funds used to acquire the property, and the facts upon which your claim of separate property is based for property both inside and outside the United States;

5. Is Mr. Smith a plaintiff or a defendant in any lawsuits? If so, for each lawsuit, please identify the name and case number for each case, the jurisdiction in which the case is pending, the nature of the claim, and the extent to which Mr. Smith believes Mr. Smith and/or Mrs. Smith may have any liability;

6. Does Mr. Smith have any interests in any defined contribution retirement plans or defined benefit retirement plans? If so, please provide copies of any and all documents created in the last two years evidencing his interests therein;

7. Does Mr. Smith have any interests in any non-retirement bank, brokerage, or investment accounts? If so, please provide copies of any and all documents created in the last two years evidencing his interests therein;

8. Is Mr. Smith the beneficiary of any trusts? If so, please provide copies of any and all documents evidencing his interests therein;

9. For the calendar years 2005 through 2011, please provide a detailed summary of all money deposited into accounts in which Mr. Smith have had an interest.

It is our hope to continue to proceed with informal discovery so as to further to facilitate the amicable relationship between the parties and hopefully arrive at an expeditious resolution which is satisfactory to all. Nonetheless, in order to ensure that the exchange of information does proceed in a timely fashion, please consider this correspondence to be a request for discovery pursuant to MCR 2.309 and MCR 2.310.

Thank you again for your kind attention to these issues.
I look forward to speaking with you soon. Until then, with best regards, I am

Sincerely,

B. Andrew Rifkin

BAR/br

cc: Mrs. Sylvia Smith
Discovery in Divorce Cases

Exhibit 7
Sample Subpoena to Business Owner

Smith v. Smith
SUBPOENA EXHIBIT A

1. Produce for inspection and copying each and every check register, account statement, and cancelled check – from the period covering January 1, 2010 through the present date – for every account on which Defendant RICHARD SMITH has an interest and/or signing privileges;

2. Produce for inspection and copying all bank statements, asset lists, investment statements, credit cards, tax returns, and financial statements for this entity (including but not limited to debt obligations and other liabilities), from the period covering January 1, 2010 through the present date;

3. List all owners and/or officers of each entity, with respective ownership percentages;

4. Identify and describe in detail each owner's or officer's title, as well as roles and responsibilities within the company including, but not limited to, duties performed as an employee and/or in management;

5. Identify in detail each owner's and/or officer's compensation for the last five fiscal years, including the financial statement account in which the compensation is included for each person;

6. Please produce title reports (liens, easements, encroachments, etc.) and legal descriptions for any property in which this subpoenaed entity has any ownership, real, beneficial, or equitable interest;

   a. For each such parcel identified above, please describe whether any improvements exist on the property, and for each improvement, identify the date and cost of any construction;

   b. For each such parcel identified above, please all building drawings and site surveys;

   c. For each such parcel identified above, please identify all maintenance/replacement costs regarding major items (including the roof, heating and air conditioning equipment, etc.) made since January 1, 2010;

   d. For each such parcel identified above, please identify all planned future capital expenditures;

   e. For each such parcel identified above, please produce all documents evidencing all sales of such property made within the past three years;
f. For each such parcel identified above, are any currently listed for sale, or are there any offers or options to purchase any such property? If so, please produce copies of any and all documents relating in any way to any properties currently listed for sale, or any offers or options to purchase such property; and

7. A complete schedule of all of Defendant RICHARD SMITH’s perquisites received, including personal expenses paid by this subpoenaed entity, or any other related company(ies) on behalf of Defendant, for each of the last five years (including the year ended December 31, 2010).
STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

SALLY SMEAD,

Plaintiff, Case No. 10-xxxxx-DM

HON.

ROBERT D. SMEAD,

Defendant.

THE LAW FIRM OF.
BY: ________________ (P24546)
________________ (P01234)

Attorneys for Plaintiff
1234 Sapling Street
Big Town, Michigan 48123
(248) 123-1111

THE LAW FIRM OF JOHN F. SCHAEFER
BY: B. ANDREW RIFKIN (P46147)

Attorneys for Defendant
380 North Old Woodward Avenue Suite 320
Birmingham, Michigan 48009
(248) 642-6655

DEFENDANT’S REQUESTS FOR ADMISSIONS
AND SECOND DISCOVERY REQUESTS TO PLAINTIFF
NOW COMES ROBERT BOB SMEAD, Defendant herein, by THE LAW FIRM OF JOHN F. SCHAEFER, her attorneys, and files the following Requests to Admit, Interrogatories, and Request for Production of Documents (collectively “Discovery Requests”) to be answered by Plaintiff separately and fully in writing under oath within twenty eight (28) days from the date of service, pursuant to the Michigan Court Rules:

INSTRUCTIONS

Your answers are to include such information as is available to you and/or such information as can be obtained by you from employer(s), agents, representatives, accountants, private investigators, attorneys, lessees, sureties and/or any other person, firm, corporation or entity who is in possession of or who may have obtained information for or on behalf of you or with whom you have dealt in connection with the subject matter covered by these Discovery Requests; demand is further made for production and attachment of all documents requested herein.

If any Discovery Request cannot be answered fully, please answer to the extent possible and explain why you are unable to answer fully.

When the identification of any document is requested, give the date, the identity of the author or addressee, the identity of the addressee, the identity of the person presently in custody, control or possession thereof, the title and/or identifying code, and state whether you will produce a copy upon request without the necessity of a court order. In lieu of such identification, you may attach such documents to your answers to these Interrogatories.

When the identification of any person is requested, please give the name, current address, and telephone number.

Please take notice that these Discovery Requests shall be deemed to be continuing so as to require supplemental answers should you or anyone acting on your behalf obtain further information after the submission of answers hereto which would tend to change, alter, or modify, wholly or in part, any such answer. Said supplemental answers shall be served upon the undersigned counsel immediately upon receipt of such information.

DEFINITIONS

1. The terms "document" or "documents" as used herein include, without limitation, writings and printed matter of every kind and description, photographs, databases, drawings, notes, computer e-mail, deleted e-mail, computer files, deleted computer files and records (tape, disc or other) of oral communications.
2. The terms "person" or "persons" as used herein include, without limitation, individuals, associations, partnerships, corporations, joint ventures, unions, and other organizations.

3. The term "identify" as used herein in connection with a "document" or "documents" means:

   (a) State the type of document (letter, agreement, memorandum, etc.) and date of the document, the name and address of the person originating the document, the name and address of the person, if any, to whom the document was addressed, the names and addresses of all persons to whom copies of the document were to be, or have been, sent, and the firm or firms with which all such persons were associated at the date of the document;

   (b) State whether the original is within your access, custody or control, and identify each person in possession of the document or a copy thereof; and

   (c) If you claim that any documents are privileged, (i) identify and describe each such document by date, author and addressee, (ii) identify each person (other than stenographic or clerical assistants) participating in the preparation of the document, (iii) identify each person to whom the contents of the document have been communicated by copy, exhibition, reading or summarization, (iv) provide a brief summary of the document's contents, (v) state the privilege or privileges in sufficient detail so that the court may adjudicate the validity of the claim.

4. The term "identify" as used herein in connection with a "person" or "persons" means:

   (a) With respect to an individual, state the name, title, present address (or, if unknown, the last known address), employer, and exact duties and responsibilities of such individual; and

   (b) With respect to an association, partnership, corporation, joint venture, union or other organization, (i) state the name of the organization, the address of the principal office, the state or country under whose law the organization is organized, and the address of any government agency where organizational records are filed, and (ii) identify the person in charge of the principal office.

5. The term "describe in detail" as used herein means:

   (a) Describe fully by reference to underlying facts rather than by reference to ultimate facts or conclusions of fact or law;

   (b) Where applicable, particularize as to (i) time; (ii) place; and (iii) manner; and

   (c) Set forth all relevant facts necessary to the complete understanding of the act, process, event or thing in question.
6. If any part of these Discovery Requests cannot be answered in full, please answer to the extent and in the manner possible, using an estimate if exact figures or detailed records are not available and specifying if an estimate rather than exact figures or statements have been used.

7. If you claim that any documents are lost or destroyed, (a) identify and describe each such document by date, author and addressee and (b) provide a brief summary of its contents.

As used herein, the words "Plaintiff" and "you" mean and include Plaintiff SALLY MARIE SMEAD and any and all of your representatives (including attorneys), and all other persons acting or purporting to act on behalf of Plaintiff.
REQUESTS FOR ADMISSIONS AND DISCOVERY REQUESTS

1. Request to Admit: You have a cellular telephone, the number of which is 248-xxx-xxxx.

   ANSWER:

2. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

3. Request to Admit: Your cellular telephone number 248-xxx-xxxx is part of a Verizon account under the name of your husband, Robert Bob Smead.

   ANSWER:

4. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:
5. **Request to Admit:** You used your cellular telephone (phone number 248-xxx-xxxx) to call Tom Week.

   **ANSWER:**

6. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   *Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.*

   **ANSWER:**

7. **Request to Admit:** You used your cellular telephone (phone number 248-xxx-xxxx) to call Tom Week and/or to receive calls from Tom Week 51 times in August of 2010.

   **ANSWER:**

8. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   *Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.*

   **ANSWER:**
9. **Request to Admit:** You used your cellular telephone (phone number 248-xxx-xxxx) to speak with Tom Week and/or leave messages for Tom Week total of 1080 minutes in August of 2010.

**ANSWER:**

10. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   
   b. Identify each and every person with knowledge of those facts; and
   
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   *Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.*

**ANSWER:**

11. **Request to Admit:** You used your cellular telephone (phone number 248-xxx-xxxx) to call Tom Week and/or to receive calls from Tom Week 15 times in September of 2010.

**ANSWER:**

12. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   
   b. Identify each and every person with knowledge of those facts; and
   
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   *Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.*

**ANSWER:**
13. **Request to Admit:** You used your cellular telephone (phone number 248-xxx-xxxx) to speak with Tom Week and/or leave messages for Tom Week total of 293 minutes in September of 2010.

**ANSWER:**

14. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   
   a. State each and every fact upon which you base your response;
   
   b. Identify each and every person with knowledge of those facts; and
   
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   *Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.*

**ANSWER:**

15. **Request to Admit:** You used your cellular telephone (phone number 248-xxx-xxxx) to call Tom Week and/or to receive calls from Tom Week 19 times in October of 2010.

**ANSWER:**

16. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   
   b. Identify each and every person with knowledge of those facts; and
   
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   *Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.*

**ANSWER:**
Discovery in Divorce Cases

17. Request to Admit: You used your cellular telephone (phone number 248-xxx-xxxx) to speak with Tom Week and/or leave messages for Tom Week total of 233 minutes in October of 2010.

ANSWER:

18. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

19. Request to Admit: You used your cellular telephone (phone number 248-xxx-xxxx) to call Tom Week and/or to receive calls from Tom Week 101 times between July 1, 2010 and December 31, 2010.

ANSWER:

20. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:
21. **Request to Admit:** You used your cellular telephone (phone number 248-xxx-xxxx) to speak with Tom Week and/or leave messages for Tom Week for a total of more than 1700 minutes between July 1, 2010 and December 31, 2010.

**ANSWER:**

22. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

a. State each and every fact upon which you base your response;

b. Identify each and every person with knowledge of those facts; and

c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

*Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.*

**ANSWER:**

23. **Request to Admit:** You used your cellular telephone (phone number 248-xxx-xxxx) to exchange text messages with Tom Week between July 1, 2010 and December 31, 2010.

**ANSWER:**

24. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

a. State each and every fact upon which you base your response;

b. Identify each and every person with knowledge of those facts; and

c. Produce a copy of each document that evidences, refers, or relates to any of those facts.
Discovery in Divorce Cases

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

25. **Request to Admit:** You exchanged e-mail messages with Tom Week between July 1, 2010 and December 31, 2010.

ANSWER:

26. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

27. **Request to Admit:** You exchanged Facebook and/or IM messages with Tom Week between July 1, 2010 and December 31, 2010.

ANSWER:

28. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
a. State each and every fact upon which you base your response;
b. Identify each and every person with knowledge of those facts; and
c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

29. Produce copies of all written communications you have exchanged with Tom Week, regardless of whether such records are maintained as electronic data, e-mail messages, Facebook messages, telephone records, text messages, and/or handwritten communications.

   a. Identify each and every person with knowledge of the location of where any such written communications may be stored; and
   b. Produce a copy of each document that evidences, refers, or relates to any of the written communications described above.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

30. Request to Admit: You used your cellular telephone (phone number 248-xxx-xxxx) to call Gary Wood.

ANSWER:

31. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.
Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

32. Request to Admit: You used your cellular telephone (phone number 248-xxx-xxxx) to call Gary Wood and/or to receive calls from Gary Wood 8 times in December of 2010.

ANSWER:

33. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

34. Request to Admit: You used your cellular telephone (phone number 248-xxx-xxxx) to speak with Gary Wood and/or leave messages for Gary Wood for a total of 521 minutes in December of 2010.

ANSWER:

35. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

36. Request to Admit: You used your cellular telephone (phone number 248-xxx-xxxx) to speak with Gary Wood on December 19, 2010, for 179 minutes.

ANSWER:

37. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

38. Request to Admit: You used your cellular telephone (phone number 248-xxx-xxxx) to speak with Gary Wood on December 31, 2010, for 310 minutes.

ANSWER:

39. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.
Discovery in Divorce Cases

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

40. Request to Admit: You used your cellular telephone (phone number 248-xxx-xxxx) to call Gary Wood and/or to receive calls from Gary Wood 28 times in January of 2010.

ANSWER:

41. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

42. Request to Admit: You used your cellular telephone (phone number 248-xxx-xxxx) to speak with Gary Wood and/or leave messages for Gary Wood for a total of 1,625 minutes in January of 2010.

ANSWER:

43. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
a. State each and every fact upon which you base your response;
b. Identify each and every person with knowledge of those facts; and
c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

**ANSWER:**

44. Request to Admit: You used your cellular telephone (phone number 248-xxx-xxxx) to speak with Gary Wood at 1:38 AM for total of 208 minutes on January 5, 2010.

**ANSWER:**

45. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

- a. State each and every fact upon which you base your response;
- b. Identify each and every person with knowledge of those facts; and
- c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

**ANSWER:**

46. Request to Admit: You used your cellular telephone (phone number 248-xxx-xxxx) to speak with Gary Wood on January 6, 2010, for 351 minutes.

**ANSWER:**
Discovery in Divorce Cases

47. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

48. Request to Admit: You used your cellular telephone (phone number 248-xxx-xxxx) to speak with Gary Wood on January 9, 2010, for 298 minutes.

   ANSWER:

49. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

50. Request to Admit: You used your cellular telephone (phone number 248-xxx-xxxx) to speak with Gary Wood on January 13, 2010, for 143 minutes.

   ANSWER:
51. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

52. Request to Admit: You used your cellular telephone (phone number 248-xxx-xxxx) to speak with Gary Wood on January 14, 2010, for 136 minutes.

   ANSWER:

53. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

54. Request to Admit: You used your cellular telephone (phone number 248-xxx-xxxx) to speak with Gary Wood on January 24, 2010, for 222 minutes.

   ANSWER:
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55. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

56. Request to Admit: You used your cellular telephone (phone number 248-xxx-xxxx) to call Gary Wood and/or to receive calls from Gary Wood 16 times in February of 2010.

   ANSWER:

57. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

58. Request to Admit: You used your cellular telephone (phone number 248-xxx-xxxx) to call Gary Wood and/or to receive calls from Gary Wood for a total of 853 minutes in February of 2010.
59. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

60. Request to Admit: You used your cellular telephone (phone number 248-xxx-xxxx) to speak with Gary Wood on February 2, 2010, for 115 minutes.

   ANSWER:

61. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:
62. Request to Admit: You used your cellular telephone (phone number 248-xxx-xxxx) to speak with Gary Wood on February 21 through February 22, 2010, for 543 minutes.

ANSWER:

63. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

64. Request to Admit: You obtained a second cellular telephone in your own name on which you have made calls since March of 2010.

ANSWER:

65. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:
66. **Request to Admit:** The telephone number of the second cellular telephone in your own name on which you have made calls since March of 2010 is 248-xxx-5xxx.

**ANSWER:**

67. **If** your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

*Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.*

**ANSWER:**

68. **Request to Admit:** You used your cellular telephone (phone number 248-xxx-5xxx) to speak with Gary Wood and/or leave messages for Gary Wood for a total of more than 308 minutes in March of 2010.

**ANSWER:**

69. **If** your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

*Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.*

**ANSWER:**
70. **Request to Admit:** You used your cellular telephone (phone number 248-xxx-5xxx) to speak with Gary Wood and/or leave messages for Gary Wood for a total of more than 2,750 minutes in April of 2010.

**ANSWER:**

71. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   
   b. Identify each and every person with knowledge of those facts; and
   
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   *Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.*

**ANSWER:**

72. **Request to Admit:** You used your cellular telephone (phone number 248-xxx-5xxx) to speak with Gary Wood and/or leave messages for Gary Wood for more than 1,900 minutes in May of 2010.

**ANSWER:**

73. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   
   b. Identify each and every person with knowledge of those facts; and
   
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   *Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.*

**ANSWER:**
74. **Request to Admit:** You used your cellular telephone (phone number 248-xxx-xxxx) to exchange text messages with Gary Wood between January 1, 2010 and the present date.

**ANSWER:**

75. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   *Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.*

**ANSWER:**

76. **Request to Admit:** You exchanged e-mail messages with Gary Wood between January 1, 2010 and the present date.

**ANSWER:**

77. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.
78. Request to Admit: You exchanged Facebook and/or IM messages with Gary Wood between January 1, 2010 and the present date.

ANSWER:

79. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

80. Request to Admit: You traveled to Gainesville, Florida in October of 2010.

   ANSWER:

81. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
b. Identify each and every person with knowledge of those facts; and

c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

*Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.*

**ANSWER:**

82. **Request to Admit:** In September of 2010, you made arrangements for your travel to Gainesville, Florida.

**ANSWER:**

83. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

a. State each and every fact upon which you base your response;

b. Identify each and every person with knowledge of those facts; and

c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

*Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.*

**ANSWER:**

84. **Request to Admit:** You stayed at a hotel, in Gainesville, Florida.

**ANSWER:**

85. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

a. State each and every fact upon which you base your response;

b. Identify each and every person with knowledge of those facts; and
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c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

86. Request to Admit: You did not stay alone in your hotel room in Gainesville, Florida.

ANSWER:

87. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

88. Request to Admit: Tom Week stayed with you in your hotel room in Gainesville, Florida.

ANSWER:

89. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

**ANSWER:**

90. **Request to Admit:** There was only one bed in your hotel room in Gainesville, Florida.

**ANSWER:**

91. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

**ANSWER:**

92. **Request to Admit:** Tom Week slept with you in the same bed in your hotel room in Gainesville, Florida.

**ANSWER:**

93. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
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c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

94. Request to Admit: You had sexual contact with Tom Week in your hotel room in Gainesville, Florida.

ANSWER:

95. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

96. Request to Admit: You paid for Tom Week to travel to Gainesville, Florida in October of 2010.

ANSWER:

97. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
98. **Request to Admit:** You paid for Tom Week to stay in your hotel room with you in Gainesville, Florida in October of 2010.

**ANSWER:**

99. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   *Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.*

**ANSWER:**

100. **Request to Admit:** You used marital funds to pay for Tom Week to travel to Gainesville, Florida in October of 2010.

**ANSWER:**

101. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
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102. Request to Admit: You told your husband that you would be staying alone in Gainesville, Florida in October of 2010.

ANSWER:

103. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

104. Request to Admit: You lied to your husband when you told him that you would be staying alone in Gainesville, Florida in October of 2010.

ANSWER:
105. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

106. Request to Admit: You lied to your husband when you told him that you went alone to Gainesville, Florida in October of 2010.

   ANSWER:

107. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

108. Request to Admit: You lied to your husband when you told him that you did not have an extramarital affair.

   ANSWER:
Discovery in Divorce Cases

109. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

110. Request to Admit: Photographs of you that were taken during your trip to Gainesville, Florida, were taken by Tom Week.

   ANSWER:

111. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

112. Request to Admit: You posted on Facebook a photograph of the bed in your hotel room in Gainesville, Florida.

   ANSWER:
113. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

114. Request to Admit: After your trip to Gainesville, Florida, you sent to Tom Week photographs of yourself dressed in various costumes.

ANSWER:

115. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:


ANSWER:
Discovery in Divorce Cases

117. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

118. Request to Admit: You spent the night with Tom Week in Arizona in December of 2010.

   ANSWER:

119. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

120. Request to Admit: You had sexual contact with Tom Week in Arizona in December of 2010.

   ANSWER:
121. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

122. Request to Admit: You were married when you had sexual contact with Tom Week.

   ANSWER:

123. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:


   ANSWER:

125. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
a. State each and every fact upon which you base your response;
b. Identify each and every person with knowledge of those facts; and
c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

126. Request to Admit: You had sexual contact with Gary Wood in Colorado in December of 2010.

ANSWER:

127. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

a. State each and every fact upon which you base your response;
b. Identify each and every person with knowledge of those facts; and
c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

128. Request to Admit: You were with Gary Wood in February of 2010.

ANSWER:

129. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

a. State each and every fact upon which you base your response;
b. Identify each and every person with knowledge of those facts; and

c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

*Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.*

**ANSWER:**

130. Request to Admit: You picked up Gary Wood at Detroit Metro Airport in February of 2010.

**ANSWER:**

131. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

*Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.*

**ANSWER:**


**ANSWER:**

133. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

134. Request to Admit: You had sexual contact with Gary Wood in February of 2010.

ANSWER:

135. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

a. State each and every fact upon which you base your response;

b. Identify each and every person with knowledge of those facts; and

c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

136. Request to Admit: You had sexual contact with Gary Wood in a hotel.

ANSWER:

137. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

a. State each and every fact upon which you base your response;

b. Identify each and every person with knowledge of those facts; and

c. Produce a copy of each document that evidences, refers, or relates to any of those facts.
Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

138. Request to Admit: You paid for Gary Wood to travel to be with you in February of 2010.

ANSWER:

139. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

140. Request to Admit: You used marital funds to pay for Gary Wood to travel to be with you in February of 2010.

ANSWER:

141. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.
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Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

**ANSWER:**

142. **Request to Admit:** You stayed in a hotel room with Gary Wood in April and/or May of 2010.

**ANSWER:**

143. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

**ANSWER:**

144. **Request to Admit:** You had sexual contact with Gary Wood in April of 2010.

**ANSWER:**

145. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
b. Identify each and every person with knowledge of those facts; and

c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

146. Request to Admit: You had sexual contact with Gary Wood in April and/or May of 2010.

ANSWER:

147. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

148. Request to Admit: You had sexual contact with Gary Wood in May of 2010.

ANSWER:
149. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

150. Request to Admit: You had sexual contact with Gary Wood in June of 2010.

   ANSWER:

151. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

152. Request to Admit: You had sexual contact with Gary Wood in Indiana.

   ANSWER:
153. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

**ANSWER:**

154. **Request to Admit:** You had sexual contact with Gary Wood in Michigan.

**ANSWER:**

155. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

**ANSWER:**

156. **Request to Admit:** After you had sexual contact with Gary Wood, you consulted with a physician about contraception.

**ANSWER:**
Discovery in Divorce Cases

157. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   **ANSWER:**

158. **Request to Admit:** You were married when you had sexual contact with Gary Wood.

   **ANSWER:**

159. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   **ANSWER:**

160. **Request to Admit:** You have given your children to wear necklaces and/or bracelets which were given to you by Gary Wood.

   **ANSWER:**
161. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

162. Request to Admit: You have worn gifts given to you by Gary Wood.

   ANSWER:

163. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

164. Request to Admit: You have given gifts to Gary Wood.

   ANSWER:

165. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
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a. State each and every fact upon which you base your response;
b. Identify each and every person with knowledge of those facts; and
c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

166. Produce copies of all written communications you have exchanged with Gary Wood, regardless of whether such records are maintained as electronic data, e-mail messages, Facebook messages, telephone records, text messages, and/or handwritten communications.

   a. Identify each and every person with knowledge of the location of where any such written communications may be stored; and
   b. Produce a copy of each document that evidences, refers, or relates to any of the written communications described above.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

167. Request to Admit: Gary Wood has sent and/or given you written materials stating that "you are the best in life and I love you".

ANSWER:

168. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.
Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

169. Request to Admit: Gary Wood has sent and/or given you written materials stating that “please know that I will wait for you for as long as it takes for us to be together. Your end date is our start date, and it is in sight”.

ANSWER:

170. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

171. Request to Admit: Gary Wood has sent and/or given you written materials stating that “I love you deeply!!!”.

ANSWER:

172. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
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c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

173. Request to Admit: Gary Wood has sent and/or given you written materials stating that “I want you to fight to get what you are entitled to!”

ANSWER:

174. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

a. State each and every fact upon which you base your response;

b. Identify each and every person with knowledge of those facts; and

c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

175. Request to Admit: Gary Wood has sent and/or given you written materials offering to “match” whatever you receive in your divorce settlement.

ANSWER:

176. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

a. State each and every fact upon which you base your response;

b. Identify each and every person with knowledge of those facts; and
177. Request to Admit: You lied to your husband when you denied in marriage counseling that you were having an extramarital affair.

ANSWER:

178. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

179. Request to Admit: Your husband found condoms in your drawer.

ANSWER:

180. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
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a. State each and every fact upon which you base your response;
b. Identify each and every person with knowledge of those facts; and
c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

181. Request to Admit: The condoms that your husband found in your drawer were used when you had sexual contact during your marriage with a man other than your husband.

ANSWER:

If your answer to the preceding Request to Admit is anything other than an unqualified admission:

182. 

a. State each and every fact upon which you base your response;
b. Identify each and every person with knowledge of those facts; and
c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

183. Request to Admit: You removed your children's passports without your husband’s knowledge and/or permission.

ANSWER:
184. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

185. Request to Admit: You moved your children's passports into your own safety deposit box without your husband's knowledge and/or permission.

   ANSWER:

186. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

   ANSWER:

187. Request to Admit: You withdrew more than $70,000 from joint marital accounts and put that money into an account in your own name on the same day that you filed your complaint for divorce.
ANSWER:

188. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

189. Request to Admit: You have told friends that one of the reasons you filed for a divorce is because your husband is having an extramarital affair.

ANSWER:

190. If your answer to the preceding Request to Admit is anything other than an unqualified admission:
   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

191. Request to Admit: You lied when you told friends that one of the reasons you filed for a divorce is because your husband is having an extramarital affair.
ANSWER:

192. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

193. Provide copies of any and all evidence, including written documentation, photographs, audio and/or video tapes you and/or your agent may have in your/their possession evidencing or demonstrating that Defendant may have engaged in an extra-marital affair and/or engaged in sexual activity with any person outside the marriage.

   a. State each and every fact upon which you base your response;
   b. Identify each and every person with knowledge of those facts; and
   c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

   Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

194. State specifically what sexual activity you allege that Defendant engaged in with any person outside the marriage, including the date, time and place when you allege that Defendant engaged in an extra-marital affair and/or engaged in sexual conduct/activity with any person outside the marriage, and giving the date, time and place of each sexual act.

   a. State each and every fact upon which you base your response;
b. State the name and phone number of any individual(s) who provided you with proof and/or evidence that Defendant allegedly engaged in an extramarital affair and/or engaged in sexual activity with any person outside the marriage;

c. Identify each and every person with knowledge of those facts; and

d. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:

195. Request to Admit: You are able to work.

ANSWER:

196. If your answer to the preceding Request to Admit is anything other than an unqualified admission:

a. State each and every fact upon which you base your response;

b. Identify each and every person with knowledge of those facts; and

c. Produce a copy of each document that evidences, refers, or relates to any of those facts.

Please note that Defendant will object to the introduction, use, and/or admission by Plaintiff of any evidence at the trial of this matter that is responsive to this discovery request and which is not provided in response hereto.

ANSWER:
“The answers to these discovery requests and the documents furnished in connection therewith are true and accurate to the best of my knowledge, information and belief.”

______________________________
SALLY MARIE SMEAD
Date

Submitted by
THE LAW FIRM OF JOHN F. SCHAEFER

BY: ______________________________
B. ANDREW RIFKIN (P46147)
Attorneys for Plaintiff
380 North Old Woodward Avenue Suite 320
Birmingham, Michigan 48009
(248) 642-6655

Dated: August 10, 2011.
PROOF OF SERVICE

I hereby affirm that a copy of the foregoing document was served on all counsel of record at the address(es) shown above via:

____ Hand-delivery
____ U.S. Mail (first class, postage prepaid)
____ Facsimile transmission

on this ___ day of April, 2010.
STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

SALLY SUE SMEAD,

Plaintiff,

vs

ROBERT BOB SMEAD,

Defendant.

THE LAW FIRM OF.
BY: ________________ (P24546)
________________ (P01234)
Attorneys for Plaintiff
1234 Sapling Street
Big Town, Michigan  48123
(248) 123-1111

THE LAW FIRM OF JOHN F. SCHAEFER
BY:  B. ANDREW RIFKIN (P46147)
Attorneys for Defendant
380 North Old Woodward Ave.  Suite 320
Birmingham, Michigan 48009
(248) 642-6655

DEFENDANT’S THIRD DISCOVERY REQUESTS
TO PLAINTIFF
NOW COMES MARK BUCKY, Defendant herein, by THE LAW FIRM OF JOHN F. SCHAEFER, his attorneys, and files the following Interrogatories and Request for Production of Documents to be answered by Plaintiff separately and fully in writing under oath within twenty eight (28) days from the date of service, pursuant to the Michigan Court Rules:

INSTRUCTIONS

These answers are to include such information as is available to you and/or such information as can be obtained by you from employer(s), agents, representatives, accountants, private investigators, attorneys, lessees, sureties and/or any other person, firm, corporation or entity who is in possession of or who may have obtained information for or on behalf of you or with whom you have dealt in connection with the subject matter covered by these Interrogatories; demand is further made for production and attachment of all documents requested herein.

If any Interrogatory cannot be answered fully, please answer to the extent possible and explain why you are unable to answer fully.

When the identification of any document is requested, give the date, the identity of the author or addressee, the identity of the addressee, the identity of the person presently in custody, control or possession thereof, the title and/or identifying code, and state whether you will produce a copy upon request without the necessity of a court order. In lieu of such identification, you may attach such documents to your answers to these Interrogatories.

When the identification of any person is requested, please give the name, current address, and telephone number.

Please take notice that these Interrogatories shall be deemed to be continuing so as to require supplemental answers should you or anyone acting on your behalf obtain further
information after the submission of answers hereto which would tend to change, alter, or modify, wholly or in part, any such answer. Said supplemental answers shall be served upon the undersigned counsel immediately upon receipt of such information.

**DEFINITIONS**

As used herein:

1. "Person" includes any individual, corporation, partnership, trust or any other form of business entity; and

2. "Document" includes all written, audio, graphic, magnetic, digital, analog, video matter, or electronic media of every kind and description, however produced or reproduced, whether draft or final, original or reproduction, in the actual or constructive possession, custody or control of you, including, but not limited to, letters, correspondence, memoranda, notes, files, transcripts, contracts, agreements, licenses, memoranda of telephone conversations or personal conversations, statements, notices, regulations, directives, financial statements, ledgers, books of accounts, working papers, recordings of materials similar to any of the foregoing however denominated by you, and including writings, charts, records and data processing results, printouts and computations, and other compilations. The term "document" shall also include all copies of each document if the copies contain any additional writing or are not identical copies of the original.
DISCOVERY REQUESTS

1. Please sign and return the Authorization for Records to Yahoo, Inc., which is attached hereto and incorporated herein by reference.

ANSWER:

“The answers to these interrogatories and the documents furnished in connection therewith are true and accurate to the best of my knowledge, information and belief.”

________________________________________
SALLY SUE BUCKY

THE LAW FIRM OF JOHN F. SCHAEFER

BY: B. ANDREW RIFKIN (P46147)

Attorneys for Defendant

380 North Old Woodward Avenue  Suite 320
Birmingham, Michigan  48009
(248) 642-6655

Dated: January 14, 2011
TO: YAHOO INC
    701 First Avenue
    Sunnyvale, CA 94089

RE: SALLY SUE SMEAD

TO WHOM IT MAY CONCERN:

You are hereby authorized and requested to furnish to:

The Law Firm of John F. Schaefer
380 North Old Woodward, Suite 320
Birmingham, Michigan 48009

The following information:

1. Complete copies of all e-mail messages, including the contents and all attachments, of any e-mail messages saved, stored, sent or received from or to the e-mail address sallysue@yahoo.com, from January 1, 2008 to March 29, 2010.

2. Complete copies of all e-mail messages, including the contents and all attachments, of any e-mail messages saved, stored, sent or received from or to the e-mail address sallysue123@yahoo.com, from January 1, 2008 to March 29, 2010.

3. Complete copies of all e-mail messages, including the contents and all attachments, of any e-mail messages saved, stored, sent or received from or to any e-mail address registered to Sally Sue Smead (Soc Sec. No: xxx-xx-xxx), from January 1, 2008 to March 29, 2010.

____________________________
SALLY SUE SMEAD

Dated: _____________________
February 10, 2011

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Yahoo, Inc.
Attn: Legal Department
701 First Avenue
Sunnyvale, CA 94089
Attention: Christian Lee

Re: [Redacted]
Case No. 2010- [Redacted] DM

Dear Mr. Lee:

This office represents the defendant in the above-referenced divorce action. I enclosed herewith a Subpoena and Yahoo's Consent to Search and Account Verification signed by the Yahoo user, [Redacted], requesting certain information to be produced at this office for copying purposes only no later than Monday, February 28, 2011. If you are able to send the information by mail prior to that date, it will not be necessary for a member of your staff to appear in my office. Additionally, if the records are available in electronic document format, rather than paper format, we would prefer to receive it that way.

I have enclosed a check in the amount of $12.00 as the Subpoena fee for these records. If other costs are incurred, I ask that you please contact, Sara R. LaCroix, and let her know the costs for the duplication of these records so a check can be sent forthwith.

Thank you for your cooperation in this regard.

Sincerely,

[Nancy M. Baron]
Paralegal to B. Andrew Rifkin

NMB
enclosure
cc: [Redacted]
In the Name of the People of the State of Michigan. TO:

If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.

YOU ARE ORDERED:

1. to appear personally at the time and place stated below. You may be required to appear from time to time and day to day until excused.

☐ The court address above □ Other: 380 North Old Woodward, Ste. 320, Birmingham, MI 48009

Day Monday Date February 28, 2011 Time N/A

2. Testify at trial / examination / hearing.

☐ 3. Produce/permit inspection or copying of the following items:

See attached Consent to Search and Account Verification.

☐ 4. Testify as to your assets and bring with you the items listed in line 3 above.

☐ 5. Testify at deposition.

☐ 6. MCL 600.6104(2), 600.6116, or 600.6119 prohibition against transferring or disposing of property is attached.

☐ 7. Other: ____________________________________________________________________________

☐ 8. Person requesting subpoena
B. Andrew Rifkin

Telephone no. (248) 642-6655

Address 380 North Old Woodward, Suite 320

City Birmingham State Michigan Zip 48009

NOTE: If requesting a debtor's examination under MCL 600.6110, or an injunction under item 6, this subpoena must be issued by a judge. For a debtor examination, the affidavit of debtor examination on the other side of this form must also be completed. Debtor's assets can also be discovered through MCR 2.320 without the need for an affidavit of debtor examination or issuance of this subpoena by a judge.

FAILURE TO OBEY THE COMMANDS OF THE SUBPOENA OR APPEAR AT THE STATED TIME AND PLACE MAY SUBJECT YOU TO PENALTY FOR CONTEMPT OF COURT.

February 10, 2011 P46147

Date ___________________ Judge ___________________ B. Andrew Rifkin

MC 11 (504) SUBPOENA, Order to Appear and/or Produce MCL 600.1455, 600.1701, 600.6110, 600.6119, MCR 2.506

☐ Served ☐ Not served

Court use only
Discovery in Divorce Cases

Consent to Search and Account Verification

I, __________________________, the account holder of the Yahoo! account with Yahoo! ID brilliance1217@yahoo.com, understand that my account is being sought in connection with a subpoena. I hereby grant my consent to authorize the following law firm/agency: __________________________, to receive, review, copy, and otherwise obtain access to all information of any kind held by Yahoo! relating to my account, including but not limited to information about my identity, my online activities and the contents of all electronic files or communications maintained by Yahoo! related to me or my ID.

Pursuant to the consent I hereby request that the following specific information be provided:

Please see attached Addendum.

I further request that the above information be provided to:

Name: __________________________
Address: __________________________
City, State, Zip: __________________________

In connection with this authority to receive information, I do hereby agree to hold harmless and do forever hold harmless Yahoo! for the disclosure of such information and do forever waive on my behalf, and on behalf of my heirs and assigns, any and all claims resulting from Yahoo!'s disclosure of any information related to my account pursuant to this authorization.

The following information should be used by Yahoo! to verify my identity:

My login name/Yahoo! ID is __________________________
My Yahoo! e-mail address is __________________________
My alternate e-mail address is __________________________
My city, state and zip is __________________________
My gender is __________________________

Next, at a minimum, please provide either (i) your date of birth and one answer to your secret questions OR (ii) the answers to two of your secret questions.

(i) The birth date I provided is __________________________
Secret Question: __________________________________________
Answer: __________________________

OR

(ii) Secret Question 1: What is the first name of your favorite aunt?
Answer: __________________________

Secret Question 2: What is the name of the street on which you grew up?
Answer: __________________________

Yahoo! user’s signature __________________________ Date 2-9-11

* In order for Yahoo! to verify the account, the user must provide information that matches the information Yahoo! has on record for that account. The terms of this consent are not subject to modification.
ADDENDUM

1. Complete copies of all e-mail messages, including the contents and all attachments, of any e-mail messages saved, stored, sent or received from or to the e-mail address [REDACTED] from January 1, 2009 to March 29, 2010.

2. Complete copies of all e-mail messages, including the contents and all attachments, of any e-mail messages saved, stored, sent or received from or to the e-mail address [REDACTED] from January 1, 2009 to March 29, 2010.

3. Complete copies of all e-mail messages, including the contents and all attachments, of any e-mail messages saved, stored, sent or received from or to the e-mail address registered to [REDACTED] (Soc Sec. No. [REDACTED]) from January 1, 2009 to March 29, 2010.
STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

MARK SMEAD,

Plaintiff and Counter-Defendant,

-vs-

HON.

SALLY JOAN SMEAD,

Defendant and Counter-Plaintiff.

LOTS OF ATTORNEYS, PLLC
BY: ______________, JR. (P50000)
Attorneys for Plaintiff
1000 South Main Street
Mount Clemens, Michigan 48000
(248) 721-9000

THE LAW FIRM OF JOHN F. SCHAEFER
BY: B. ANDREW RIFKIN (P46147)
Attorneys for Defendant
380 North Old Woodward Avenue Suite 320
Birmingham, Michigan 48009
(248) 642-6655

DEFENDANT’S REQUEST PURSUANT TO MCR 2.310
FOR INSPECTION OF TANGIBLE THINGS KEPT IN PLAINTIFF’S SAFE
LOCATED IN MARITAL HOME
PLEAS TAKE NOTICE that on Monday, March 19, 2010, commencing at 2:00 p.m., Defendant’s attorneys and agents, as authorized by MCR 2.310, will inspect Plaintiff’s safe (and the contents contained therein) located at 37891 Hidden Valley Ranch, Little Township, Michigan, 48000, for the purpose of making a videographic and photographic inventory and inspection of the contents contained therein.

As authorized by MCR 2.310, Plaintiff is requested to be present at the time and place of the inspection to open the safe for the inspection to take place.

This inspection will take place in accordance with the Michigan Court Rules and will be used for all purposes permitted by those rules.

Submitted by:

THE LAW FIRM OF JOHN F. SCHAEFER

BY: B. ANDREW RIFKIN (P46147)
Attorneys for Defendant
380 North Woodward Avenue Suite 320
Birmingham, Michigan 48009
(248) 642-6655

Discovery in Divorce Cases

PROOF OF SERVICE

I hereby affirm that a copy of the foregoing document was served on all counsel of record at the address(es) shown above via:

_____ Hand-delivery
_____ U.S. Mail (first class, postage prepaid)
___x___ Facsimile transmission

on this ___ day of March, 2010.

____________________________________________________

____________________________________________________