

1 **IAFRATE & ASSOCIATES**  
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 4 (602) 234-9775

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 7 [miafrate@iafratelaw.com](mailto:miafrate@iafratelaw.com)  
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9 Attorneys for Defendants Mohave County Board of Supervisors,  
 10 Tom Sheahan, Bruce Brown, and Gary Trotter\*

11 **IN THE UNITED STATES DISTRICT COURT**  
 12 **FOR THE DISTRICT OF ARIZONA**

13 JOHN E. WHEELER,	)	NO.CV-06-02019-PCT-JWS (JRI)
	)	
14 Plaintiff,	)	
	)	<b>DEFENDANT GARY TROTTER'S</b>
15 vs.	)	<b>RESPONSES TO PLAINTIFF'S</b>
	)	<b>NON-UNIFORM</b>
16 MOHAVE COUNTY BOARD OF	)	<b>INTERROGATORIES</b>
17 SUPERVISORS, et al.,	)	<b>[THIRD SET]</b>
	)	
	)	
18 Defendants.	)	

19 Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Defendant Gary  
 20 Trotter, by and through undersigned counsel, hereby responds to Plaintiff's Non-  
 21 Uniform Interrogatories as follows:

22 **NON-UNIFORM INTERROGATORIES**

23 **NON-UNIFORM INTERROGATORY NO.1:**

24 State your full name, address, phone number, employer, job position, job  
 duties, length of employment, salary and income earned annually from date of hire.

///

\* Defendants Law Library Officer and Mohave County Jail were dismissed pursuant to this Court's Order dated April 30, 2007. (Doc. 10)

1 Gary Trotter  
2 c/o Richard A. Stewart  
3 lafrate & Associates  
4 649 North 2<sup>nd</sup> Avenue  
5 Phoenix, Arizona 85003

6 At all relevant times Defendant was employed by the Mohave County  
7 Sheriff as a civilian employee. His duty was to provide access for inmates to  
8 the law library.

9 Defendant objects to providing information on salary and incomes  
10 earned annually for the reason that the information sought is not relevant and  
11 is not reasonably calculated to lead to the discovery of admissible evidence.

12 **NON-UNIFORM INTERROGATORY NO.2:**

13 Define any training you have received in relation to your job duties.

14 Defendant was familiarized with organization of law books, including  
15 statutes and case law reporting system, and on-line legal research by Michael  
16 Kitchen. This familiarization process was conducted in one day.

17 **NON-UNIFORM INTERROGATORY NO.3:**

18 Provide any information required to be disclosed pursuant to Rule 26,  
19 F.R.C.P.

20 **Objection:**

21 The parties to an action brought without counsel by a person in custody  
22 of the United States, a state, or a state subdivision are exempt from the  
23 disclosure requirements of Rule 26, Federal Rules of Civil Procedure. Rule  
24 26(a) (1) (E) (iv), Federal Rules of Civil Procedure.

1 **NON-UNIFORM INTERROGATORY NO.4:**

2 State the reason why you refused to photocopy the 42 U.S.C. Civil Rights  
3 Complaint when requested to do so by the Plaintiff.

4 **Law library does not provide copying service. Inmates are charged for**  
5 **photocopies.**

6 **NON-UNIFORM INTERROGATORY NO.5:**

7 State the procedure and limitations and restrictions for indigent legal mail.

8 **Inmate legal mail for Mohave County courts, including Superior court,**  
9 **justice courts, and municipal courts, is collected by detention officers and**  
10 **forwarded to Control 1 and then to the front office for distribution to the court**  
11 **to which it is addressed. Inmates who have less than \$2.00 in their inmate**  
12 **accounts are provided with notebook paper and two stamped no. 10**  
13 **envelopes per week which can be used to access any other court, including**  
14 **U.S. District Court.**

15 **NON-UNIFORM INTERROGATORY NO.6:**

16 On the date April 3, 2006 Plaintiff placed a 42 U.S.C. 1983 Civil Rights  
17 Complaint inside an indigent legal envelope and sealed it in the presence of Officer  
18 Heckard, requesting him to give it to you for mailing. The envelope was addressed  
19 to the United States District Court. In regards to this mail state:  
20

- 21 A. The chain of custody and identity of each person who possessed the  
22 envelope.  
23 B. The reason postage was not provided.  
24 C. The reason the envelope was not returned to Plaintiff.  
D. The identity of any supervisory staff contacted concerning this mail.  
E. The identity of the front desk clerk to whom the envelope was forwarded.

1 F. State the procedure and method for an indigent inmate to send indigent  
2 legal mail.

3 G. State the purpose of "indigent legal mail" envelopes stamped in red ink that  
4 was provided to the Plaintiff by you.

5 **Defendant has no information regarding any civil rights complaint.**

6 **Defendant did not receive any envelope from Plaintiff from Officer Heckard.**

7 **Mail is picked up by detention officers and sent to Control-I to be sorted and  
8 then forwarded to the front office to be mailed.**

9 **NON-UNIFORM INTERROGATORY NO.7:**

10 State the purpose of the envelope you provided to the Plaintiff stamped in red  
11 ink "indigent legal mail."

12 **Defendant has no knowledge of any stamp reading "indigent legal mail".**

13 **NON-UNIFORM INTERROGATORY NO.8:**

14 State the method and procedure for an indigent inmate to mail legal mail  
15 challenging conditions of confinement, when the mail exceeds postage limit of one  
16 stamped envelope.

17 **The mailing will require use of multiple envelopes.**

18 **DATED this 1<sup>st</sup> day of May, 2008.**

19 **IAFRATE & ASSOCIATES**

20 **By:** 

21 Michele M. Iafrate  
22 Richard A. Stewart  
23 Attorneys for **Defendants Mohave**  
24 **County Board of Supervisors,**  
**Tom Sheahan, Bruce Brown, and**  
**Gary Trotter**

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**DECLARATION**

I declare under penalty of perjury that the foregoing is true and correct.

Executed <sup>May</sup> ~~March~~ 1st, 2008.

*Gary Trotter*  
Gary Trotter

1 **IAFRATE & ASSOCIATES**  
649 North Second Avenue  
2 Phoenix, Arizona 85003  
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3 Michele M. Iafrate, #015115  
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miafrate@iafratelaw.com  
rstewart@iafratelaw.com

5  
6 **Attorneys for Defendants Mohave County Board of Supervisors,  
Tom Sheahan, Bruce Brown, and Gary Trotter\***

7 **IN THE UNITED STATES DISTRICT COURT**  
8 **FOR THE DISTRICT OF ARIZONA**

9 JOHN E. WHEELER, ) NO.CV-06-02019-PCT-JWS (JRI)  
10 )  
Plaintiff, )  
11 vs. ) **DEFENDANT GARY TROTTER'S**  
12 ) **RESPONSES TO PLAINTIFF'S**  
MOHAVE COUNTY BOARD OF ) **REQUESTS FOR ADMISSIONS**  
13 SUPERVISORS, et al., )  
14 )  
Defendants. )

15  
16 Pursuant to Rule 36 of the Federal Rules of Civil Procedure, Defendant Gary  
17 Trotter, by and through undersigned counsel, hereby responds to Plaintiff's  
18 Requests for Admissions as follows:

19 **REQUEST FOR ADMISSIONS**

20 **REQUEST FOR ADMISSION NO.1:**

21 Admit that your official duties at the Mohave County Jail included:

- 22 A. Law Library Officer  
23 B. Providing Legal Photocopies to Inmates  
C. Providing Indigent Mail Services for Legal Mail

24 \* Defendants Law Library Officer and Mohave County Jail were dismissed pursuant  
to this Court's Order dated April 30, 2007. (Doc. 10)

1           **Objection: the request for admission does not comply with Rule 36(a),**  
2 **Federal Rules of Civil Procedure, which requires that each matter as to which**  
3 **an admission is requested be separately set forth.**

4           **Without waiving the foregoing objection:**

5           **A. Deny. Defendant was a civilian employee rather than a detention**  
6 **officer.**

7           **B. Deny. Defendant's duty was to provide access to law library.**

8           **C. Deny. Jail provides mail service to local attorneys and local courts**  
9 **at no charge. Commissary supplies indigent inmates with two pre-stamped**  
10 **envelopes per week that can be used for any purpose.**

11  
12 **REQUEST FOR ADMISSION NO.2:**

13           Admit that the Plaintiff was indigent from Jan. 17, 2006 through May 17, 2006.

14           **Defendant cannot admit or deny. Indigency is not relevant to access to**  
15 **law library. Defendant is no longer employed by Mohave County Sheriff and**  
16 **does not have access to all of the records necessary to determine indigency**  
17 **status. The records that are available indicate that Plaintiff had balances of**  
18 **\$25.00 in his account on two occasions during the period in question.**

19 **REQUEST FOR ADMISSION NO.3:**

20           Admit that you provided Plaintiff indigent legal envelopes, stamped indigent  
21 legal mail in red ink, to the Plaintiff for mailing legal mail.

22           **Admit. See response to Request for Admission No. 1(C).**

23 **///**

1 **REQUEST FOR ADMISSION NO.4:**

2 Admit that Plaintiff prepared a 42 U.S.C. 1983 Civil Rights Complaint alleging  
3 unlawful conditions of confinement at the Mohave County Jail during Plaintiff's  
4 confinement at the jail Jan. – May, 2006 and that the Complaint was prepared as a  
5 class action.

6 **Objection: the request for admission does not comply with Rule 36(a),**  
7 **Federal Rules of Civil Procedure, which requires that each matter as to which**  
8 **an admission is requested be separately set forth.**

9 **Without waiving the foregoing objection:**

10 **Defendant cannot admit or deny. Plaintiff stated the he was working on**  
11 **suit but defendant did not review Plaintiff's work product.**

12 **REQUEST FOR ADMISSION NO.5:**

13 Admit that you refused Plaintiff's requests to photocopy the Complaint on  
14 dates:  
15

- 16 A. 3-19-06  
17 B. 3-20-06  
18 C. 3-30-06

19 **Objection: the request for admission does not comply with Rule 36(a),**  
20 **Federal Rules of Civil Procedure, which requires that each matter as to which**  
21 **an admission is requested be separately set forth.**

22 **Without waiving the foregoing objection:**

23 **Admit. Law library does not provide copying service. Inmates are**  
24 **charged for photocopies.**



1 **REQUEST FOR ADMISSION NO.6:**

2 Admit that Plaintiff prepared a Notice of Claim to Mohave County Board of  
3 Supervisors and that you refused to photocopy the Notice of Claim.

4 **Objections:**

5 1. The request for admission does not comply with Rule 36(a),  
6 Federal Rules of Civil Procedure, which requires that each matter as to which  
7 an admission is requested be separately set forth.

8 2. The admission sought is not relevant or reasonably calculated to  
9 lead to the discovery of relevant evidence.

10 **Without waiving the foregoing objections:**

11 Admit. See response to Request for Admission No. 5.

12 **REQUEST FOR ADMISSION NO.7:**

13 Admit that Plaintiff submitted to Officer Heckard the 42 U.S.C. 1983 Complaint  
14 and sealed it in an indigent legal envelope, and requested it be forwarded to you for  
15 postage on April 3, 2006.

16 **Objections:**

17 1. The request for admission does not comply with Rule 36(a),  
18 Federal Rules of Civil Procedure, which requires that each matter as to which  
19 an admission is requested be separately set forth.

20 2. The admission sought is not relevant or reasonably calculated to  
21 lead to the discovery of relevant evidence.

22 **Without waiving the foregoing objections:**

1 Defendant cannot admit or deny. Defendant did not receive any  
2 envelope from plaintiff from Officer Heckard. Mail is picked up by detention  
3 officers and sent to Control-I to be sorted and then forwarded to front office to  
4 be mailed.

5 **REQUEST FOR ADMISSION NO.8:**

6 Admit that you received the indigent legal mail envelope containing the  
7 Complaint.

8 Deny. See response to Request for Admission No. 7.

9 **REQUEST FOR ADMISSION NO.9:**

10 Admit that postage was not provided for mailing the 42 U.S.C. 1983  
11 Complaint that was submitted to Officer Heckard.

12 Defendant cannot admit or deny. See responses to Requests for  
13 Admission Nos. 7 and 8.

14 **REQUEST FOR ADMISSION NO.10:**

15 Admit that the indigent legal envelope containing the 42 U.S.C. Complaint  
16 was not returned to the Plaintiff.

17 Defendant cannot admit or deny. See responses to Requests for  
18 Admission Nos. 7, 8 and 9.

19 **REQUEST FOR ADMISSION NO.11:**

20 Admit that Plaintiff submitted a Notice of Claim to Mohave County Board of  
21 Supervisors inside an indigent legal envelope and requesting postage because he

22 ///

23 ///

1 was indigent on March 22, 2006.

2 **Objections:**

3 1. The request for admission does not comply with Rule 36(a),  
4 Federal Rules of Civil Procedure, which requires that each matter as to which  
5 an admission is requested be separately set forth.

6 2. The admission sought is not relevant or reasonably calculated to  
7 lead to the discovery of relevant evidence.

8 **Without waiving the foregoing objections:**

9 Defendant cannot admit or deny. See responses to Requests for  
10 Admission Nos. 7, 8 and 9.  
11

12 **REQUEST FOR ADMISSION NO.12:**

13 Admit that postage was not provided for mailing the Notice of Claim to the  
14 Mohave County Board of Supervisors.

15 **Objections:**

16 1. The request for admission does not comply with Rule 36(a),  
17 Federal Rules of Civil Procedure, which requires that each matter as to which  
18 an admission is requested be separately set forth.

19 2. The admission sought is not relevant or reasonably calculated to  
20 lead to the discovery of relevant evidence.

21 **Without waiving the foregoing objections:**

22 Defendant cannot admit or deny. See responses to Requests for  
23 Admission Nos. 7, 8 and 9.  
24

1 **REQUEST FOR ADMISSION NO.13:**

2 Admit that the indigent legal mail envelope containing the Notice of Claim was  
3 not returned to the Plaintiff.

4 **Objections:**

5 1. The request for admission does not comply with Rule 36(a),  
6 Federal Rules of Civil Procedure, which requires that each matter as to which  
7 an admission is requested be separately set forth.

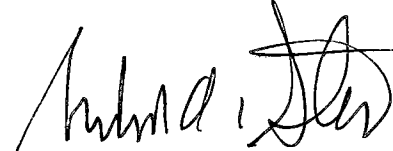
8 2. The admission sought is not relevant or reasonably calculated to  
9 lead to the discovery of relevant evidence.

10 **Without waiving the foregoing objections:**

11 Defendant cannot admit or deny. See responses to Requests for  
12 Admission Nos. 7, 8 and 9.  
13

14  
15 DATED this 15<sup>th</sup> day of January, 2008.

16  
17 **IAFRATE & ASSOCIATES**

18  
19 By: 

20 Michele M. Iafrate  
21 Richard A. Stewart  
22 Attorneys for Defendants Mohave  
23 County Board of Supervisors,  
24 Tom Sheahan, Bruce Brown, and  
Gary Trotter

1 ORIGINAL of the foregoing mailed  
2 this 15<sup>th</sup> day of January, 2008, to:

3 John E. Wheeler, #49345  
4 ASP – Winslow  
5 2100 S. Hwy 87  
6 Winslow, Arizona 86047  
7 Plaintiff

8 By: 

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1 **IAFRATE & ASSOCIATES**

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4 (602) 234-9775

5 Michele M. Iafrate, #015115  
6 Richard A. Stewart, #003202  
7 miafrate@iafratelaw.com  
8 rstewart@iafratelaw.com

9 Attorneys for Defendants Mohave County Board of Supervisors, Tom Sheahan,  
10 Bruce Brown, Gary Trotter, Sandra Trotter, Lori Hoover and Shawn Kincade

11 **IN THE UNITED STATES DISTRICT COURT**  
12 **FOR THE DISTRICT OF ARIZONA**

13 JOHN E. WHEELER, ) NO.CV-06-02019-PCT-JWS (JRI)  
14 )  
15 Plaintiff, )  
16 ) **DEFENDANT SHAWN**  
17 vs. ) **KINCADE'S RESPONSES TO**  
18 ) **PLAINTIFF'S REQUESTS FOR**  
19 ) **ADMISSIONS**  
20 MOHAVE COUNTY BOARD OF )  
21 SUPERVISORS, et al., )  
22 )  
23 )  
24 Defendants. )

25 Pursuant to Rule 36 of the Federal Rules of Civil Procedure, Defendant Shawn  
26 Kincade, by and through undersigned counsel, hereby responds to Plaintiff's  
27 Request for Admissions as follows:

28 **REQUEST FOR ADMISSIONS**

29 **REQUEST FOR ADMISSION NO. 1:**

30 Admit that you were employed as a detention office at the Mohave County jail  
31 at all times relevant to this Complaint.

32 **Admit.**

33 **///**

1 **REQUEST FOR ADMISSION NO. 2:**

2 Admit that you refused Plaintiffs request for sick call request form on or about  
3 April 7 -10, 2006.

4 **Deny.**

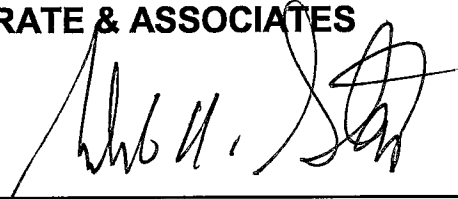
5 **REQUEST FOR ADMISSION NO. 3:**

6 Admit that you refused Plaintiffs request for an armband I.D. on or about April  
7 7-10, 2006.

8 **Deny.**

9 **DATED** this 7<sup>th</sup> day of July, 2008.

10 **IAFRATE & ASSOCIATES**

11   
12  
13 By: \_\_\_\_\_

14 Michele M. Iafrate  
15 Richard A. Stewart  
16 Attorneys for **Attorneys for Defendants**  
17 **Mohave County Board of Supervisors,**  
18 **Tom Sheahan, Bruce Brown, Gary**  
19 **Trotter, Sandra Trotter, Lori Hoover and**  
20 **Shawn Kincade**

18 **ORIGINAL** of the foregoing mailed  
19 this 7<sup>th</sup> day of July, 2008, to:

20 John E. Wheeler, #49345  
21 ASPC – Safford Tonto  
22 896 S. Cook Road  
23 Safford, Arizona 85546  
24 Plaintiff

23 **COPIES** of the foregoing mailed  
24 this 7<sup>th</sup> day of July, 2008, to:

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Gregory D. Cote  
**McCarter & English, LLP**  
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Attorneys for **Defendant Canteen Correctional Services**

J. Scott Conlon  
**Renaud Cook Drury Mesaros, PA**  
Phelps Dodge Tower  
One N. Central Ave., Suite 900  
Phoenix, Arizona 85004-4417  
Attorneys for **Defendant Prison Health Services**

By: 



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2 Phoenix, Arizona 85003  
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Richard A. Stewart, #003202  
4 miafrate@iafratelaw.com  
rstewart@iafratelaw.com

5 Attorneys for Defendants Mohave County Board of Supervisors,  
6 Tom Sheahan, Bruce Brown, Gary Trotter, Sandra Trotter, Lori Hoover and  
Shawn Kincade\*

7 **IN THE UNITED STATES DISTRICT COURT**  
8 **FOR THE DISTRICT OF ARIZONA**

9 JOHN E. WHEELER, ) NO.CV-06-02019-PCT-JWS (JRI)  
10 )  
Plaintiff, )  
11 ) **DEFENDANT LORI HOOVER'S**  
vs. ) **RESPONSES TO PLAINTIFF'S**  
12 ) **NON-UNIFORM**  
MOHAVE COUNTY BOARD OF ) **INTERROGATORIES**  
13 SUPERVISORS, et al., ) **[SIXTH SET]**  
14 )  
15 Defendants. )

16 Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Defendant Lori  
17 Hoover, by and through undersigned counsel, hereby responds to Plaintiff's Non-  
18 Uniform Interrogatories as follows:

19 **NON-UNIFORM INTERROGATORIES**

20 **NON-UNIFORM INTERROGATORY NO. 1:**

21 State your full name, address and phone number and official title.  
22  
23

24 \* Defendants Law Library Officer and Mohave County Jail were dismissed pursuant  
to this Court's Order dated April 30, 2007. (Doc. 10)

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**NON-UNIFORM INTERROGATORY NO. 2:**

State the identity of any person or persons who were employed at the jail whose duties included providing photocopies for inmates pro-se legal papers.

**NON-UNIFORM INTERROGATORY NO. 3:**

State the reason why when Plaintiff requested copies of his pro-se papers, that you refused his request.

**NON-UNIFORM INTERROGATORY NO. 4:**

State the identity of the person or persons who were employed at the Mohave County Jail whose duties included providing employees for mailing pro se legal papers to the Court and state the reason you refused the Plaintiff's requests for envelopes to mail pro-se legal papers to the Court.

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**NON-UNIFORM INTERROGATORY NO. 5:**

List specifically and in detail each and every exhibit you propose or may use at trial in this matter.

**NON-UNIFORM INTERROGATORY NO. 6:**

As to any affirmative defense you allege, state the factual basis of and describe each such affirmative defense, the evidence which will be offered at trial concerning any such alleged affirmative defense, including the names of any witnesses who will testify in support thereof, and the descriptions of any exhibits which will be offered to establish each such affirmative defense.

**NON-UNIFORM INTERROGATORY NO. 7:**

Describe in detail any conversations that you had with the Plaintiff, or inmate letter communication with the Plaintiff.

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**NON-UNIFORM INTERROGATORY NO. 8:**

Describe in detail each and every responsibility of your employment at the jail, describing each and every duty as programs officer.

**NON-UNIFORM INTERROGATORY NO. 9:**

Describe in detail any and all training that you received in relation to your employment at the jail.

**NON-UNIFORM INTERROGATORY NO. 10:**

Is it your contention that the injuries alleged in the Plaintiff's Complaint were caused in whole or in part by the fault of some person or persons other than yourself, whether named as a defendant in this action or not, or that some other person or persons may have or share in the legal responsibility for the injuries set forth in Plaintiff's Complaint? \_\_\_ If so, state:

- A. The name and address of each such person or entity.
- B. each act or omission by which you contend such person is at fault for causing the Plaintiff's injuries.
- C. The relationship of each person or entity, if any, to you or any other party in this action.

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**NON-UNIFORM INTERROGATORY NO. 11:**

List the names and addresses of all persons who:

- A. Were present at the events in question.
- B. Claimed to have knowledge concerning the events in question.
- C. Participated in any investigation concerning the incident in question of any party or witness thereto.

**NON-UNIFORM INTERROGATORY NO. 12:**

Are you aware of any person you may call as a witness at trial of this action who may or claims to have information concerning the incidents in question? \_\_\_\_ If so, state:

- A. The name and last known address of each such person.
- B. The subject or substance of information each person claims to have.

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DATES this \_\_\_\_\_ day of May, 2008.

**IAFRATE & ASSOCIATES**

By: \_\_\_\_\_  
Michele M. Iafrate  
Richard A. Stewart  
Attorneys for **Defendants Mohave  
County Board of Supervisors,  
Tom Sheahan, Bruce Brown, Gary  
Trotter, Sandra Trotter, Lori Hoover and  
Shawn Kincade**

**ORIGINAL** of the foregoing mailed  
this \_\_\_ day of May, 2008, to:

John E. Wheeler, #49345  
ASP – Winslow  
2100 S. Hwy 87  
Winslow, Arizona 86047  
Plaintiff

By: \_\_\_\_\_

**Lori Hoover**

Non-Uniform interrogatories request of 06/10/2008

1. State your full name, address and phone number and official title

**Lori Ann Hoover  
415 Pine street  
Kingman, AZ 86401  
928-753-0759 ext. 4225  
Programs Officer**

2. State the identity of any person or persons who were employed at the jail whose duties included providing photocopies of inmate's pro-se legal papers?

**The Law Librarian at the time was Mr. Gary Trotter, would be in charge of photo copying specific court documents.**

3. State the reason why when Plaintiff requested copies of his pro-se papers, that you refused?

**Because I did not / do not work in the Law Library. I would have told him to contact Mr. Trotter or his attorney to make the requested copies. And I would have given a note to Mr. Trotter about the request.**

4. State the identity of the person or persons who were employed at the Mohave county jail whose duties included providing employees for mailing pro se legal papers to the court and state the reason you refused the Plaintiff's request for envelopes to mail pro-se legal papers to the court?

**Mr. Trotter provided envelopes for pro-per indigent defendants. It was part of Law Library. I did not / do not pass out envelopes to inmates for legal correspondence.**

5. List specifically and in detail each and every exhibit you propose or may use at trial in this matter?

**I am not aware of any exhibits that would be used by myself personally at trial in this matter.**

6. As to any affirmative defense you allege, state the factual basis of and describe each such affirmative defense, the evidence which will be offered at trial concerning any such alleged affirmative defense, including the names of any witnesses who will testify in support of thereof, and the descriptions of any exhibits which will be offered to establish each such affirmative defense?

**None to my knowledge.**

7. Describe in detail any conversations that you had with the Plaintiff, or inmate letter communication with the plaintiff?

**I do not recall any specific verbal communications with the Plaintiff. Any communication regarding pro-per issues would have been to communicate directly with the law librarian. I do not recall any specific inmate written communications received from the Plaintiff.**

8. Describe in detail each and every responsibility of your employment at the jail, describing each and every duty as programs officer?

**Coordinate AA and NA meetings, church services, chaplain of the day program, anger group; maintain stats for Administration and Medical; maintain cleaning cart lists; arrange for hair cut services; distribute bibles and reading materials from book cart; provide notary services; catalog items dropped of by non-inmates; coordinate GED services; School services for juveniles; maintain St. Vincent de Paul needs forms and services to inmates; arrange special phone calls; one-time letter program; coordinate Dr. Schiff's visits and attorney special visits; maintain calendar for interview room.**

9. Describe in detail any and all training that you received in relation to your employment at the jail?

**Basic Detention Academy May – June 1999.**

10. Is it your contention that the injuries alleged in the Plaintiff's complaint were caused in whole or in part by the fault of some person or persons other than yourself, whether named as a defendant in this action or not, or that some other person or persons may have or share in the legal responsibility for the injuries set forth in Plaintiff's Complaint?

**I was not the cause of any injury to the Plaintiff nor am I aware of any other person that did or could have caused injury to the Plaintiff.**



11. List the names and address of all persons who:

- A. Were present at the events in question
- B. Claimed to have knowledge concerning the events in question.
- C. Participated in any investigation concerning the incident in question of any party or witness thereto.

**None to my knowledge.**

12. Are you aware of any person you may call as a witness at trial of this action who may or claims to have information concerning the incidents in question? \_\_\_\_\_ if so state:

- A. The name and last known address of each such person.
- B. The subject or substance of information each person claims to have.

**None to my knowledge.**

Lori Hoover

Lori O. Hoover

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**DECLARATION**

I declare under penalty of perjury that the foregoing is true and correct.

Executed <sup>JUMP</sup> March 12, 2008.

X Lori A. Hoover  
Lori Hoover

1 DATED this 19<sup>th</sup> day of June, 2008.

2 IAFRATE & ASSOCIATES

3  
4 By: 

5 Michele M. Iafrate  
6 Richard A. Stewart  
7 Attorneys for Defendants Mohave  
8 County Board of Supervisors,  
9 Tom Sheahan, Bruce Brown, Gary  
10 Trotter, Sandra Trotter, Lori Hoover and  
11 Shawn Kincade

9 ORIGINAL of the foregoing mailed  
10 this 19<sup>th</sup> day of June, 2008, to:

11 John E. Wheeler, #49345  
12 ASP – Winslow  
13 2100 S. Hwy 87  
14 Winslow, Arizona 86047  
15 Plaintiff

14 COPIES mailed to:

15 Gregory D. Cote  
16 **McCarter & English, LLP**  
17 265 Franklin Street  
18 Boston, Massachusetts 02110  
19 Attorneys for Defendant Canteen Correctional Services

18 J. Scott Conlon  
19 **Renaud Cook Drury Mesaros, PA**  
20 Phelps Dodge Tower  
21 One N. Central Ave., Suite 900  
22 Phoenix, Arizona 85004-4417  
23 Attorneys for Defendant Prison Health Services

23 By: 

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5 Attorneys for Defendants Mohave County Board of Supervisors,  
6 Tom Sheahan, Bruce Brown, Gary Trotter, Sandra Trotter, Lori Hoover and  
Shawn Kincade\*

7  
8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE DISTRICT OF ARIZONA**

10 JOHN E. WHEELER, ) NO.CV-06-02019-PCT-JWS (JRI)  
11 )  
Plaintiff, )  
12 vs. ) **DEFENDANT SHAWN**  
13 ) **KINCADE'S RESPONSES TO**  
MOHAVE COUNTY BOARD OF ) **PLAINTIFF'S NON-UNIFORM**  
14 ) **INTERROGATORIES**  
SUPERVISORS, et al., ) **[SIXTH SET]**  
15 )  
Defendants. )

16 Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Defendant Shawn  
17 Kincade, by and through undersigned counsel, hereby responds to Plaintiff's Non-  
18 Uniform Interrogatories as follows:

19 **NON-UNIFORM INTERROGATORIES**

20 **NON-UNIFORM INTERROGATORY NO. 1:**

21 State your full name, address and phone number and official title.  
22  
23

24 \* Defendants Law Library Officer and Mohave County Jail were dismissed pursuant  
to this Court's Order dated April 30, 2007. (Doc. 10)