

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

DENNIS HUNT,

Plaintiff,

v.

Case No.

8:07-cv-1168-T-30TBM

LAW LIBRARY BOARD,
a Board created by
Hillsborough County, Florida;

NORMA J. WISE,
in her official capacity as
Director of the James J.
Lunsford Law Library, and
individually; and,

DAVID L. PILVER,
individually,

Defendants.

DEPOSITION OF: NORMA WISE
TAKEN BY: Counsel for Plaintiff
DATE: January 8, 2009
TIME: 12:40 p.m. to 1:24 p.m.
PLACE: Richard Lee Reporting
 100 North Tampa Street
 Tampa, Florida
REPORTED BY: Karen Kay Skeen, RPR
 Notary Public
 State of Florida at Large

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APPEARANCES:

RYAN CHRISTOPHER RODEMS, ESQUIRE
 Barker, Rodems & Cook, P.A.
 400 North Ashley Drive, Suite 2100
 Tampa, Florida 33602
 Appeared for Plaintiff

STEPHEN M. TODD, ESQUIRE
 Hillsborough County Attorney's Office
 Post Office Box 1110
 Tampa, Florida 33601-1110
 Appeared for Defendants

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1 The deposition, upon oral examination, of
2 NORMA WISE, taken on the 8th day of January, 2009,
3 at the offices of Richard Lee Reporting, 100 North
4 Tampa Street, Suite 2060, Tampa, Florida, beginning
5 at 12:40 p.m., before Karen Kay Skeen, Registered
6 Professional Reporter and Notary Public in and for
7 the State of Florida at Large.

8 * * * * *

9 NORMA WISE,
10 being first duly sworn to testify the truth, the
11 whole truth, and nothing but the truth, was examined
12 and testified as follows:

13 EXAMINATION

14 BY MR. RODEMS:

15 Q Hi. Would you tell us your name,
16 please.

17 A Norma Wise.

18 Q Okay, Ms. Wise. And as I understand it,
19 you're the director of the James J. Lunsford Law
20 Library?

21 A Correct.

22 Q Okay. Have you ever given a deposition
23 before?

24 A No, I haven't.

25 Q Okay. This is a question and answer

1 session. You are under oath. If there's any
2 questions that I ask you that are not clear or need
3 to be clarified, please let me know, and I'll try to
4 rephrase it so that it's more understandable. And
5 if you need a break at any time, let me know.

6 A Thank you.

7 Q How long have you been the director?

8 A It will be twelve years in April. April
9 -- since April of 1997. That makes it easier.

10 Q And prior to April 1997, were you
11 employed by the law library?

12 A Yes, I was.

13 Q And I understand that the name changed at
14 some time around the turn of the century, and it
15 became the James J. Lunsford Law Library?

16 A It was about 2001, uh-huh.

17 Q Okay. How long have you worked at the
18 law library overall?

19 A It's about 22 years. For a couple of
20 years before I was permanent, I worked for a
21 temporary service for two years -- about two years
22 before that.

23 Q Okay. And before you were director, what
24 was your title?

25 A Administrative aide to the director.

1 Q And who was the director?

2 A William Bailey, B-a-i-l-e-y.

3 Q Okay. And I understand that when
4 Mr. Bailey retired or left, that you became the
5 director?

6 A Correct.

7 Q And did anyone replace you?

8 A There was just a shifting of people,
9 yeah.

10 Q All right. What are the qualifications
11 that one must have to be the director? Is there any
12 educational requirements or --

13 A No. We went through this at the time
14 that I was being considered for the promotion.
15 There's nothing in the rules or whatever that
16 specify any kind of educational level or any kind of
17 background. I was given the position because
18 Mr. Bailey for a couple of years before he retired
19 was out quite a bit. He had had a heart attack, and
20 he was out, you know, a lot of sick time. And I
21 was -- I had assumed his duties, and everything was
22 running smoothly, so they assumed that I was
23 competent to do the job.

24 Q Okay. Well, can you tell me then what is
25 your educational background?

1 A High school only.

2 Q Okay. Any college?

3 A Some classes here and there, but not even
4 the two-year degree.

5 Q And in the 22 years that you've been with
6 the Hillsborough County Law Library, have you taken
7 any courses or classes or seminars or anything
8 related to your job?

9 A Through the Human Resources Department,
10 they run classes from time to time, and I've taken
11 several of those dealing with the public, that type
12 of thing.

13 Q Okay. Now, I know you know what we're
14 here about --

15 A Yes.

16 Q -- the lawsuit involving Mr. Hunt. Let
17 me ask you, a few of the critical events occurred in
18 early July of 2003. And we've just concluded
19 Mr. Pilver's deposition. So I think we could
20 probably -- it will help me shorten up my deposition
21 to find out what your involvement was at that time.
22 Were you actively working during that time period of
23 the beginning of July of 2003, or were you out on
24 leave?

25 A I was out on sick leave for the entire

1 month of June and started back with a few hours here
2 and there. I had some outpatient therapy that I was
3 attending for a couple of weeks after that.

4 Q Okay. Mr. Pilver testified earlier that
5 in terms of the direction or response that he was
6 given as to an encounter with Mr. Hunt was from
7 Ms. Kellaheer, Sandra Kellaheer, and that he also had
8 communications with Mr. Spradlin --

9 A Correct.

10 Q -- and that essentially -- and I'm
11 paraphrasing -- that Ms. Kellaheer told him to use
12 his best judgment in how he needed to deal with
13 Mr. Hunt, and that gave him -- Mr. Pilver, that
14 is -- that gave Mr. Pilver the authority in his mind
15 to do what he did in terms of trespassing Mr. Hunt.

16 What I would like to find out is did you
17 have any role in telling Mr. Pilver how to handle
18 the circumstances with Mr. Hunt following the July
19 3rd, I believe it was, encounter between Mr. Hunt
20 and Mr. Pilver?

21 A No.

22 Q Okay. So just a couple more questions on
23 this, and then we can move on to other things.

24 A Uh-huh. Sure.

25 Q Would Mr. Pilver have ever asked you or

1 would you have ever told Mr. Pilver, "If you're
2 uncomfortable with Mr. Hunt, call security and have
3 him removed"?

4 A In any other situation or in this
5 particular situation?

6 Q In this particular situation.

7 A No, I did not say anything like that to
8 him, to my recollection, although I understand
9 that's what happened with --

10 Q Yes, ma'am. But, I mean --

11 A Me personally, no.

12 Q All right. Have you ever had any
13 in-person -- like we're here today in person --
14 in-person encounters with Mr. Hunt at any time?

15 A The first -- to my recollection, the
16 first time I've ever seen him was at his deposition
17 here. He may have been in the library before that,
18 but no interaction, or I don't remember him person
19 to person, no.

20 Q Okay. Did anyone at any time consult
21 with you as the director as to whether Dennis Hunt
22 should be trespassed from the library?

23 A No.

24 Q Okay. Are you aware as to whether a
25 trespass warning was issued to Mr. Hunt?

1 A By the police department --

2 Q Yes.

3 A -- it was, yes.

4 Q Okay. And do you know whether Mr. Pilver
5 advised the police department that Mr. Hunt was not
6 welcome in the law library?

7 A Yeah, he asked for him to be removed.

8 Q Okay. Have you ever seen -- you have
9 some documents over there next to you. And let me
10 just ask you if you have ever seen -- here's my
11 copy. The very bottom one is marked No. 9. Have
12 you ever seen that document before?

13 A Yes.

14 Q Okay. To your knowledge, is this
15 document, this trespass warning -- is it still in
16 effect?

17 A I have no idea.

18 Q Okay. Let me show you what we'll mark as
19 Exhibit 10.

20 (Exhibit 10 marked for identification.)

21 Q This is a letter from me to you dated
22 March 25th of 2008. Did you get this letter?

23 A Yes, I did.

24 Q Okay. Did you ever respond to me?

25 A No, I did not. I turned it over to the

1 attorney.

2 Q All right. Well, let me just ask you the
3 question at the bottom then. Is Mr. Hunt still
4 barred from entering the James J. Lunsford Law
5 Library?

6 A That would not be a decision for me.
7 That would be a decision by my board. With
8 concessions, I would suggest to them that my staff
9 felt comfortable with him coming back in.

10 Q Okay. Well, I appreciate what you're
11 saying, but since --

12 A If he's still being barred --

13 Q Yes, ma'am.

14 A -- that would be a decision for the
15 board.

16 Q Okay.

17 A My law library board.

18 Q Okay. I asked Mr. Pilver had he ever
19 rescinded the trespass warning, and he said he had
20 not. Do you know if the trespass warning is still
21 in effect, as far as the law library is concerned?

22 A As far as I know -- I don't know how long
23 by law they go into effect or if they're in effect
24 until they're withdrawn.

25 Q Okay.

1 A If there is a requirement for it to be
2 withdrawn, it has not been withdrawn.

3 Q Okay. Very good. Let me show you what
4 we'll mark as Exhibit 11.

5 (Exhibit 11 marked for identification.)

6 Q If you'd just take a look at that and let
7 me -- it appears to be a letter from you to Mr. Hunt
8 dated May 1st, 2003, with two attachments. And what
9 I want to find out is if you recognize it and if it
10 is, in fact, your signature on the letter.

11 A I recognize the letter. I assume it's
12 the one that I sent him. It looks like it.

13 Q Okay.

14 A Although I didn't read it verbatim, but I
15 assume it is.

16 Q Okay. Just let me know when you've had a
17 chance to review that.

18 A Yes, it appears to be my letter.

19 Q And attached to it are two pages. One is
20 what appears to be a series of nine paragraphs on
21 James J. Lunsford Law Library letterhead with "Norma
22 J. Wise, Director," at the top left-hand corner.

23 A Correct.

24 Q What is this document?

25 A That's the rules of the library. It's

1 the only rules in existence.

2 Q Are these rules still in effect?

3 A Yes. I do have a copy of the current one
4 that was just -- it's exactly the same wording.
5 I've pulled it. It's the one that we're giving away
6 as of today when people ask for them to set up an
7 account or whatever they need them for.

8 Q All right.

9 A The date at the bottom is different, but
10 I read it verbatim, and I think that it's just that
11 it was just reorganized a little bit as far as
12 margins. But substantially it's the same, exact
13 same.

14 Q Okay. And how did these rules come into
15 existence, if you know?

16 A They're original rules that have been
17 updated from time to time by our library board.

18 Q Okay. So did you have any role in
19 creating these rules?

20 A The last -- yes, in the last change in
21 that quite a bit of it before had to do with book
22 circulation, and we don't circulate books anymore.
23 So I did present this draft to my board for their
24 approval, taking out anything to do with book
25 circulation.

1 Q The most recent draft?

2 A Yes.

3 Q Okay. But the original --

4 A Oh, the original ones? No, they've just
5 been changed little bits over time. They're really
6 the same rules that have been in existence since the
7 library has.

8 Q All right. To your understanding, were
9 the rules, the law library rules, required to be
10 approved by the law library board?

11 A As far as I would say, yes, it is,
12 uh-huh.

13 Q Okay. And are there any other written
14 rules besides the ones that you've just identified?

15 A No, no written rules.

16 Q And then on --

17 A I have no idea what that is.

18 Q Okay. So have you ever seen it before?

19 A No.

20 Q No?

21 A Huh-uh.

22 Q I don't see it referenced in your letter.

23 A I've never seen that before. I was
24 flipping through it. I haven't seen that. I don't
25 know where it came from.

1 MR. RODEMS: Steve, with your
2 permission, can we take this last page off?

3 MR. TODD: Yeah, let's do that.

4 MR. RODEMS: Okay. We're going to take
5 the last page of Exhibit 11 off, because that
6 was not part of the letter that Ms. Wise
7 originally sent out. It's not referenced in
8 the letter, by the way. I don't know how I
9 ended up with the three of them together.

10 THE WITNESS: I've never seen it before.

11 MR. RODEMS: Okay. Thank you.

12 BY MR. RODEMS:

13 Q This is not your handwriting on this
14 document, is it?

15 A No, it's not.

16 Q Okay. I don't know why that would be
17 there.

18 A And it says at the bottom, "Our copy" --

19 Q Yeah.

20 A I don't know whether that was something
21 that was created for Mr. Hunt while I was out.
22 That's a possibility.

23 Q All right.

24 A I might add I don't recognize that
25 handwriting either. It's none of my employees'

1 handwriting either.

2 THE REPORTER: It's not what?

3 THE WITNESS: Oh, excuse me. It's none
4 of my employees' handwriting either.

5 Q Okay. If you could take a look next to
6 you at Exhibit No. 2. This is a handwritten -- it
7 appears to be a handwritten letter from Mr. Hunt to
8 you.

9 A Uh-huh.

10 Q Do you recognize it?

11 A This one in particular? There's so many
12 that we received. Actually, this is the letter that
13 my letter is in response to.

14 Q Okay. And you're saying your letter --

15 A It's --

16 Q -- Exhibit 3?

17 A No. The one that you just gave me, the
18 last one. Exhibit 11 --

19 Q Oh, okay.

20 A -- is in response to this one, Exhibit 2.

21 Q Okay. Very good.

22 A Yes, I recognize that.

23 Q All right. And then if you could just
24 flip over and look at Exhibit 3. This is a letter
25 to you from Mr. Hunt dated May 5th, 2003. Do you

1 know if you ever received that?

2 A Yes, I did.

3 Q Okay. And let's see. On this Exhibit 3,
4 if you look at the third paragraph where it says, "I
5 have questions of the coin deposits" --

6 A Uh-huh.

7 Q -- Mr. Hunt was asking for -- Mr. Hunt
8 was raising to the attention of you that with cash
9 being brought in, theft could go undetected and even
10 unsuspected. "What policies or procedures prevent
11 this theft?" Do you see that?

12 A Uh-huh.

13 Q Did you ever respond to him about those
14 sentiments or thoughts that he had placed in that
15 letter?

16 A May I explain the sequence here?

17 Q Yes, ma'am.

18 A Okay. After my response to his original
19 letter --

20 Q Which is the April 30?

21 A -- which is Exhibit 2 --

22 Q Okay.

23 A -- my board chair received copies of his
24 letter and my response. She followed up with a
25 phone call to him and told me that any more requests

1 go directly to her and to the County Attorney's
2 Office. At this point, this came in after this, and
3 this was sent -- because it was a public records
4 request as far as my board chair was concerned --
5 and then it went to the County Attorney's Office as
6 far as a public records request.

7 Q I see. Okay.

8 A Okay?

9 Q Yes, ma'am.

10 A So if there was no response from me on
11 that, that was at direct instruction of my board
12 chair.

13 Q I understand. Okay. Very good.

14 A Uh-huh.

15 Q Then if you'll take a look at Exhibit No.
16 4, Mr. Hunt wrote a letter to you dated May 19,
17 2003. Did you receive this letter?

18 A I saw this letter, yes.

19 Q Okay. By the way, when you were getting
20 these complaint letters from Mr. Hunt, were you
21 sharing them or showing them to Mr. Pilver?

22 A May not have been showing them, but he
23 did know of their existence. I don't recall at the
24 time whether he was actually being shown copies of
25 them.

1 Q Okay. This May 19th letter from Mr. Hunt
2 to you expressly accuses Mr. Pilver of doing
3 something that Mr. Hunt felt would be injurious to
4 him.

5 A Uh-huh.

6 Q Did you have a discussion with Mr. Pilver
7 about this letter?

8 A Certainly did.

9 Q Okay. What do you recall about that?

10 A We discussed different ways that he might
11 be able to avoid any look of impropriety. David's
12 an excellent employee and works well with the
13 public. I was a little suspicious of this letter
14 because this isn't like Mr. Pilver to act like this
15 towards someone. But we did discuss it and came to
16 the decision that he would put the books on the
17 counter and then Mr. Hunt could take the books off
18 the counter rather than him handing them directly to
19 him.

20 Q Okay. And how did Mr. Pilver receive
21 this change in policy? Was he happy about it,
22 unhappy about it, angry about it?

23 A We discussed all the different things
24 that were going on at the time. I can't say he was
25 happy, angry or anything else.

1 Q All right. By this time, Mr. Hunt had
2 raised an issue about not being able to bring his
3 own personal photocopier into the library?

4 A Correct.

5 Q Okay. And Mr. Pilfer informed him that
6 he could not do that?

7 A Right.

8 Q Was that a policy of the library that
9 Mr. Pilver -- that Mr. Hunt could not use his own
10 personal photocopier at that time?

11 A Not that Mr. Hunt couldn't do it; no one
12 could bring in any of their own copiers or scanners.

13 Q Okay. And was that a written policy?

14 A No, it wasn't. It was just known.

15 Q Okay.

16 A It was unwritten rules.

17 Q And what was the reason for that
18 unwritten rule?

19 A Because a lot of our revenue comes from
20 self-generated funds.

21 Q Okay. I show you what we'll mark as
22 Exhibit 12.

23 (Exhibit 12 marked for identification.)

24 Q Do you recall sending an internet message
25 board posting to the University of California

1 Davis --

2 A It's the LAWLIB LISTSERV, yes.

3 Q Oh, okay.

4 A It's a LISTSERV for LAWLIB, called
5 "LAWLIB."

6 Q Okay. Do you recall sending this?

7 A Yes, I did.

8 Q Okay. And were you at the board meeting
9 that was held on Monday, June 16th, 2003?

10 A No, I was not.

11 Q No?

12 A No.

13 Q Okay. Did you become aware that the
14 board was going to hold a meeting --

15 A Yes.

16 Q -- and that one of the agenda items would
17 be discussion of whether the patrons can use their
18 personal copiers?

19 A Yes. That came right before I was -- I
20 went into the hospital. And my board chair told me
21 to have Mr. Hunt discuss any problems he had with
22 the law library at that board meeting. There's some
23 correspondence somewhere that states that.

24 Q Okay. And did you learn the outcome of
25 the board's consideration of this matter?

1 A Not that night. But, yes, within a few
2 days or so, I was called and told about it, uh-huh.

3 Q Okay. Did you ever see the minutes of
4 that meeting?

5 A Yes, uh-huh.

6 Q Let me just -- we'll mark those then.
7 This is being marked as Exhibit 13.

8 (Exhibit 13 marked for identification.)

9 Q Have you seen this document before?

10 A Yes.

11 Q All right. Were you -- did you ever have
12 any discussion with Mr. Pilver about the law library
13 board's decision regarding --

14 A Me personally, no. Well, not at the
15 time. You know, over time, we have, yes, but not
16 right when it happened.

17 Q All right. What was your -- what was
18 your feeling about the law library board's
19 decision? Did you agree with it or disagree with
20 it?

21 A No feeling one way or the other.

22 Q Okay. You weren't concerned about losing
23 revenue any longer?

24 A I couldn't picture everyone bringing in
25 copy machines. I didn't think it was going to have

1 that much of an effect for one person to do that.

2 Q Okay. Let me show you -- we'll mark this
3 as 14. Have you ever seen this document before?

4 (Exhibit 14 marked for identification.)

5 MR. RODEMS: Sorry, Steve.

6 A No. Who's it from? Oh, the County
7 website? Oh, perhaps so, but not in this format
8 maybe.

9 Q Okay. You believe this comes from the
10 County website?

11 A It looks like the County website, yes,
12 from the web address that's at the top. It looks
13 like the County website printout, yeah.

14 Q All right. This document says, "The
15 purpose of this board is to collect, maintain and
16 make available legal research material not generally
17 attainable elsewhere in the County for use by the
18 bench, bar, students and the general public."

19 A Basically our mission statement, correct.

20 Q You agree that that is the purpose?

21 A Yes. Uh-huh.

22 Q All right. And the law library is open
23 to the general public?

24 A Yes, it is. It's our first rule,
25 actually.

1 Q Okay. Do you need some water?

2 A Yes. Sorry about that. Thank you.

3 Q Oh, no problem. Let me show you what
4 we'll mark as Exhibit 15.

5 (Exhibit 15 marked for identification.)

6 Q This is a letter from Mary Helen
7 Campbell, General Counsel with the office of the
8 County Attorney, to Dennis Hunt dated November 12th,
9 2003. And it shows at the bottom that a copy went
10 to you. Did you receive a copy of this letter?

11 A I recognize it, yes.

12 Q Okay. Now, I don't want to know about
13 any communications you may have ever had with any of
14 the attorneys. I don't care to get into that, and
15 that's not my purpose. But what I would like to ask
16 you about is the first sentence of this letter which
17 states, "This letter is in response to your public
18 records request dated November 7, 2003. The law
19 library has no written or non-written policies
20 concerning 'trespass warnings' or 'enforcement of
21 trespass warnings.' These are criminal matters and
22 are handled by law enforcement."

23 A Uh-huh.

24 Q Does that statement that I've just read
25 to you comport with your understanding?

1 A I would think they're criminal matters
2 handled by the police as well.

3 Q Okay. Well, maybe that part I shouldn't
4 have read. The portion about "The law library has
5 no written or non-written policies" --

6 A Oh, correct. Correct.

7 Q -- that part is correct?

8 A Yes, sir.

9 Q Okay. If I'm clear then, if Mr. Pilver
10 and Mr. Hunt had some sort of an encounter on
11 July -- I don't know why I'm having so much trouble
12 with this date -- July 3rd --

13 MR. TODD: 7th, I believe.

14 A The 5th or 7th. I can never remember
15 either. There was something that went on on the
16 7th. I'm not sure if it was --

17 Q If they had some sort of encounter on
18 July 3rd in which Mr. Hunt was in the library after
19 hours or after closing time and Mr. Pilver
20 approached him and a dispute arose between the two
21 of them, would that have been something that you
22 would have discussed about Mr. Pilver at that time,
23 or were you still out of the loop because of your --

24 A I was out of the loop --

25 Q -- your convalescence?

1 A -- because of the convalescence.

2 Q Okay. All right. So --

3 A Personally, I was. He did speak with
4 people.

5 Q So then your knowledge or awareness of
6 whatever happened between the two of them occurred
7 at a later date?

8 A Correct.

9 Q Would it have occurred after Mr. Hunt had
10 already been arrested for trespass?

11 A Mr. Spradlin, who was acting director,
12 did call me after he spoke with the board chair
13 about the incident where Mr. Hunt was in the library
14 after closing. But I don't remember if that was
15 before or after the actual trespass had taken
16 place. But I was informed by Mr. Spradlin that
17 Ms. Kellaheer had given him permission to do what he
18 felt was best, you know, for when Mr. Hunt had come
19 back in the library. But I don't remember the exact
20 sequence. I'm sorry.

21 Q Okay. So then it -- correct me if I'm
22 wrong. Your knowledge of what Ms. Kellaheer had told
23 Mr. Pilver to do had come from your conversation
24 with Mr. Spradlin?

25 A I believe it did, the first instance of

1 it. The first time I heard of it, it came from
2 Mr. Spradlin. It may have come from Dave Pilver,
3 but I think I didn't speak to him until a week or so
4 later.

5 Q Do you ever recall having any direct
6 conversations with Ms. Kellaheer about --

7 A Not about this instance. About the
8 original instance about the copier, yes, back in
9 May. I did speak with her about that.

10 Q Okay.

11 A But during this situation, no.

12 Q At any time have you had a conversation
13 with Ms. Kellaheer in which she confirmed for you
14 that she told Mr. Pilver --

15 A Oh, yes. Yes, well after this point when
16 it looked like it was going to be a problem. When
17 he started sending public information requests and
18 things, she and I spoke, and she, you know,
19 confirmed that to me personally.

20 Q What did she confirm to you personally?

21 A She confirmed to me that she had told him
22 to do what he was comfortable with that next time he
23 came in.

24 Q Did that include, to your knowledge,
25 having Mr. Pilver issued a trespass warning?

1 A As far as I knew, he was able to have the
2 security -- County security have him removed from
3 the library. Now, the fact that they called the
4 Tampa Police and he was trespassed, I would think
5 that was a -- that would be a police matter.

6 Q Okay. Could you take a look at Exhibit
7 6.

8 A Sure.

9 Q This is letter dated July 3rd, 2003, to
10 you from Mr. Hunt.

11 A Yes.

12 Q Did you ever receive this?

13 A I have seen it. I did not receive it
14 during that time. In fact, I think this was one of
15 the faxes that he sent. My copies of them have this
16 fax number across the top.

17 Q Okay.

18 A Anything that came in during that June
19 and July time when I wasn't there, Mr. Spradlin was
20 just sending them directly over to Ms. Kellaher.

21 Q Okay. You know, I didn't know all of
22 this until today.

23 A Oh.

24 Q I was under the impression that you were
25 involved in this process through this July period.

1 A No. I'm sorry.

2 Q No. I'm sorry. Let me ask you this:
3 Mr. -- would you agree that what Mr. Hunt does in
4 this letter of July 3rd, 2003, is attempt to give
5 his version of the events of July 3rd -- I'm
6 sorry -- of July 1st, 2003?

7 A That's what I would understand it to be,
8 correct.

9 Q Okay. And you know from speaking with
10 Mr. Pilver that Mr. Pilver has a very different --
11 well, strike that. You have talked with Mr. Pilver
12 about this event on July 1st, 2003?

13 A And it differs, yes, sir.

14 Q It does differ?

15 A (Witness moves head up and down.)

16 Q Okay. Yes?

17 A Yes.

18 Q Okay. I'm sorry. I saw you nodding your
19 head --

20 A Oh, I'm sorry.

21 Q -- and I forget that she's taking
22 everything down you say. So --

23 A I'm sorry. I forget. I'm sorry.

24 Q That's okay. Did you at any time ever
25 suggest that there be some process to determine

1 whether Mr. Pilver's version of events on July 1st,
2 2003, was accurate or whether Mr. Hunt's version of
3 events on July 1st, 2003, were accurate?

4 A I don't recall any conversations that
5 anyone had concerning deciding who was telling the
6 truth. Having -- see, now, we never really got
7 into -- back on the copier -- sorry to bring that
8 back up -- but I had telephone conversations with
9 Mr. Hunt, and he was not the most polite gentleman
10 I've ever spoken to on the telephone.

11 Q Okay.

12 A So having had first experience with this
13 person myself and him being rude to me, I tended to
14 lean a little more towards Mr. Pilver's personally.
15 Now, as far as what Ms. Kellaher thought or
16 whatever, we never had an open discussion or anyone
17 sitting down and saying, "Okay. David, you said
18 this, and Mr. Hunt is saying this. What's going on
19 here?"

20 Q Okay. Was there any process that you
21 knew of where something like that could occur?

22 A In my conversations and in finding out
23 from David his side of the story, I kind of dropped
24 it at that point as far as what Mr. Hunt had said
25 because of David's background. He had worked for me

1 for eight or nine years at that point.

2 Q Okay.

3 A You know, I had complete trust in the
4 gentleman.

5 Q And I understand that. That's -- there
6 is, of course -- I'm not here to criticize you for
7 that --

8 A I understand.

9 Q -- I'm just trying to find out. But so
10 that I am clear on it, based on your interaction
11 with Mr. Hunt by telephone, and based on your
12 knowledge of Mr. Pilver through working with him,
13 having heard Mr. Pilver's version of the events and
14 having read Mr. Hunt's version of the events, you
15 gave more credibility to Mr. Pilver? Is that
16 accurate?

17 A Personally, yes, I did.

18 Q Okay.

19 A Right or wrong, I did.

20 Q I don't see in the law library rules
21 anything that would allow someone who had been
22 removed from the library to challenge that as it
23 being appropriate or not appropriate. Is there any
24 process?

25 A It's never been addressed because it's

1 never been done before.

2 Q Okay. After you returned to what I'll
3 describe as full duties --

4 A Correct.

5 Q -- from your convalescence in -- I guess
6 it was sometime in the month of July --

7 A About mid-July, yes.

8 Q -- about mid-July, so after Mr. Hunt had
9 been arrested and trespassed out of the library, did
10 this matter involving Mr. Hunt come up as an issue
11 for you again until the lawsuit was filed? And when
12 I say "the lawsuit," I mean the lawsuit we're here
13 on.

14 A Only in that day after day after day for
15 a few months, we were getting public records
16 requests from him. And I was just sending them on
17 to the County Attorney's Office. But, no, it wasn't
18 an issue for me, no.

19 Q Okay. And you never had to testify at
20 either of the two criminal trials that occurred?

21 A No.

22 Q All right. As for the events of July
23 1st, 2003, which was the encounter between
24 Mr. Pilver and Mr. Hunt when Mr. Hunt was allegedly
25 in the law library after closing hours or --

1 A Okay. The first instance, okay.

2 Q Yes. -- and in regards to the trespass
3 arrest and those types of things, who would have
4 more knowledge about the actual events that
5 occurred, you or Mr. Spradlin?

6 A Between Dave and Sandra Kellaher and
7 that --

8 Q Just --

9 A Or everything --

10 Q I'm just trying to -- what I'm trying to
11 do -- let me just lay it out for you.

12 A Okay. Sure.

13 Q I'm trying to establish that Mr. Spradlin
14 was there on a daily basis during that time period
15 but you were not. So, in other words, he would know
16 more about this situation than you would. And,
17 unfortunately --

18 A The day-to-day, yes.

19 Q Yes. Unfortunately, lawyers have to try
20 to ask these questions in a manner that makes sense
21 both to the person they're asking the question of
22 and for the court reporter and the attorney and the
23 court. So sometimes it's hard. But --

24 A Yes, he was the acting director while I
25 was out, yes.

1 Q Okay. So as for what happened between
2 Mr. Pilver and Mr. Hunt during that week of -- first
3 week of July, 2003, Mr. Spradlin was at work every
4 day, and you were not necessarily at work every
5 day?

6 A Correct.

7 Q Okay. So as for what was being discussed
8 or what was being done about these events during
9 that week, Mr. Spradlin would have been more
10 involved than you would have?

11 A Correct.

12 Q And you would have been involved only on
13 maybe an advisory basis of, "Hey, this is what's
14 going on"?

15 A Correct. I received a couple of phone
16 calls, and then I was in one of the days or two of
17 the days when we talked about it. But the entire
18 situation, no, only what I know of what they told
19 me.

20 Q Just so I'm clear, if Mr. Pilver felt
21 that he was given permission to have Mr. Hunt
22 removed, this did not come from you, it must have
23 come from Ms. Kellaher or someone else. Correct?

24 A Correct.

25 Q And as far as whether Mr. Hunt is allowed

1 to return to the law library or not, it's your
2 testimony that that would be the law library board's
3 area of responsibility and not yours as the
4 director?

5 A Correct.

6 Q Okay. Would you have the authority to
7 rescind the trespass warning that has been attached
8 as Exhibit No. 9 on behalf of the law library?

9 A In this particular case, I would say no.

10 Q Okay. Who would have the authority?

11 A It would have to be the board, the
12 board's decision.

13 Q Okay. And who is the current chair of
14 the board?

15 A Horace Knowlton. Want me to spell that
16 for you?

17 Q Yes, ma'am.

18 A Horace, regular H-o-r-a-c-e. And last
19 name Knowlton, K-n-o-w-l-t-o-n.

20 Q Okay. What is the scope of your duties
21 and responsibilities at the law library?

22 A I take care of the day-to-day operations
23 in the library, supervise the employees, make book
24 decisions on what's being purchased, what's being
25 discontinued, pay the bills, budgeting. Just about

1 anything an administrator would do.

2 Q Policy decisions about what hours you
3 should be open, do you have --

4 A That's by the board.

5 Q Okay. Policy decisions about what rules
6 should be --

7 A That would be a board decision.

8 Q Okay.

9 A They handle policy and direction of the
10 library. I just handle the day-to-day grind. I
11 guess that's the easiest way to explain it.

12 Q I think that's a fair way to put it.

13 MR. RODEMS: All right. I'll tell you
14 what: Why don't we take a two-minute break.
15 And, Steve, can I talk to you outside for just
16 a second?

17 MR. TODD: Sure.

18 (Recess from 1:21 p.m. to 1:23 p.m.)

19 MR. RODEMS: Okay. I do not have any
20 more questions. I thank you for coming down
21 today.

22 THE WITNESS: You're welcome.

23 MR. TODD: You have a right to read this
24 if it's typed up. And you can certainly waive
25 that right and rely on the professionalism of

1 our very good court reporter. But you need to
2 say on the record that you want to read it if
3 it's typed up or that you waive your right. I
4 recommend that you waive.

5 THE WITNESS: I'll waive my right.

6 (At 1:24 p.m., no further questions were
7 propounded to the witness.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA:

COUNTY OF HILLSBOROUGH:

I, Karen Kay Skeen, Notary Public in and for the State of Florida at Large, do hereby certify that I reported in shorthand the foregoing proceedings at the time and place therein designated; that the witness herein was duly sworn by me; that my shorthand notes were thereafter reduced to typewriting under my supervision; and that the foregoing pages are a true and correct, verbatim record of the aforesaid proceedings.

Witness my hand and seal January 14, 2009, in the City of Tampa, County of Hillsborough, State of Florida.

Karen Kay Skeen

Karen Kay Skeen
Notary Public
State of Florida at Large



KAREN KAY SKEEN
MY COMMISSION # DD 842560
EXPIRES: December 16, 2012
Bonded Thru Budget Notary Services

BARKER, RODEMS & COOK
PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW

CHRIS A. BARKER
RYAN CHRISTOPHER RODEMS
WILLIAM J. COOK

400 North Ashley Drive, Suite 2100
Tampa, Florida 33602

Telephone 813/489-1001
Facsimile 813/489-1008

March 25, 2008

Norma Wise, Director
James J. Lunsford Law Library
501 East Kennedy Boulevard, Suite 100
Tampa, Florida 33602


Re: Dennis Hunt
Our File No. 2008.5595

Dear Ms. Wise:

Our law firm represents Dennis Hunt, who several years ago was issued a trespass warning and told he was not permitted to return to the James J. Lunsford Law Library. I write today to inquire as to whether this trespass warning remains in effect or whether it has been revoked.

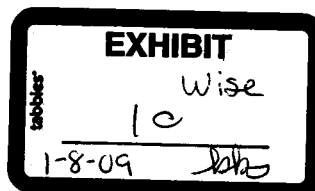
Would you please advise me as to whether Mr. Hunt is still barred from entering the James J. Lunsford Law Library?

Sincerely,



Ryan Christopher Rodems

RCR/so



JAMES J. LUNSFORD LAW LIBRARY

Hillsborough County
501 E. KENNEDY BOULEVARD - SUITE 100
TAMPA, FLORIDA 33602

NORMA J. WISE, Director

(813) 272-5818
FAX (813) 272-5226

May 1, 2003

Mr. Dennis Hunt
14111 Mossy Glen Lane, #203
Tampa, FL 33613

Re: Library Policies

Dear Mr. Hunt:

Thank you for your letter of April 30, 2003, as requested attached is a copy of the Law Library Rules.

Although not specifically addressed in the Law Library Rules, I would like to try to clarify for you why we do not allow anyone to bring in their own copy machines and/or other devices (e.g. scanners). The Law Library is an Agency under Hillsborough County and, as such, is not in the business of making a profit. We receive revenues from court filing fees, attorneys occupational licenses, County General Fund and self-generated revenues. All money received for services provided goes back into the operation of the Library. The money received from the copiers, together with the other revenue is put back into the purchase of books and other associated operating costs thus reducing the amount of money needed from the County's General Fund. We believe the cost per copy (\$.20) is a fair price and has not been increased since 1988.

All policies apply to every patron of the Law Library. Attorneys and Judges get the same privileges that any patron of the Library gets. Attorneys are required by The Florida Bar to keep current on legal topics, and we keep a small number of audio tape courses available for them provided by The Florida Bar. They may check these tapes out for overnight use if they have an office in Hillsborough County. If a non-attorney or an attorney from another county wants to listen to the tapes, they may if they listen to them in the library.

I would like to reiterate that the policies of the Library apply to all patrons. If we were to make an exception for you, or any person, that would have to apply to all patrons. In that case our copy revenue could be reduced, and we would have to apply more book/subscription cutbacks. This is something we have struggled with for years and have felt it to be appropriate under the circumstances.

I have spoken with Sandra Kellaher, Chair of the Law Library Board, and at her suggestion this matter will be put on the agenda for the next Board meeting. I will inform you of the date and time of that meeting as soon as it is set.

Please let me know if I can be of any further service to you.

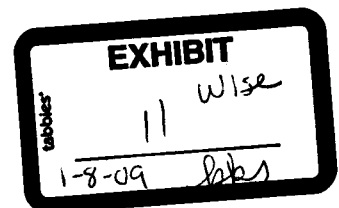
Sincerely,



Norma J. Wise,
Director

Attachments

CC: Sandra M. Kellaher, Esq.



JAMES J. LUNSFORD LAW LIBRARY

Hillsborough County

501 E. KENNEDY BOULEVARD - SUITE 100

TAMPA, FLORIDA 33602

NORMA J. WISE, Director

(813) 272-5818
FAX (813) 272-5226

1. The Library is available for use by the public.
2. Accounts maintained by the library for individuals or firms must be kept as a positive balance due to the fact that the library cannot extend credit (Fla. Const. Art. VII S 10). If an account goes into the negative, services provided by the library will be suspended until such time as the account is replenished. Accounts in the negative on the 1st day of each month will be sent a statement outlining the current charges. Payment of this negative balance is due on receipt of statement. A separate charge of \$3.00 will be made for the preparation of each statement detailing these charges.
3. No book shall be removed from the Library
4. CLE tapes are available for check out by members of the Florida Bar in good standing, with their principal offices in Hillsborough County, or by a person acting on behalf of the member.
5. A late charge of \$1.00 (ONE DOLLAR) per day per tape will be assessed against the holder of record of any overdue tape. The Law Library Director may at any time request in writing the return of any tape. If it is not returned within one week from the date of such notification, the holder of record of such tape will be charged for the replacement cost of such tape plus a service charge of \$10.00 (TEN DOLLARS). All late and service charges are to be paid promptly.
6. It is the responsibility of the attorney borrowing a tape to see that he/she is properly credited when it is returned. Loss of any tape charged to an attorney will result in such attorney being billed for the replacement cost, plus \$10.00 (TEN DOLLARS) service charge.
7. If any tape becomes damaged while checked out, the cost of repair shall be determined by the Law Librarian and shall be paid by the attorney for which it was removed from the Library. If the Law Librarian determines that the tape cannot be repaired, then the replacement cost of the tape, plus \$10.00 service charge, shall be assessed against the attorney for whom it was removed.
8. Failure to comply with these rules will result in the suspension of library privileges of the offending attorney's firm. In addition, any attorney who ignores written correspondence from the Law Library Director and who fails to return tapes will be referred to The Florida Bar for appropriate disciplinary action.
9. Library hours are as follows:

Monday through Thursday:	8:00am	-	8:00pm
Friday:	8:00am	-	5:00pm
Saturday:	12:00noon	-	5:00pm
Sunday	12:00noon	-	5:00pm
All holidays:	Closed		

Internet message board posting found at: <http://lawlibrary.ucdavis.edu/LAWLIB/May03/0265.html>

Public Access Libraries - Copiers

From: Norma Wise (WiseN@hillsboroughcounty.org)

Date: 05/19/03

- **Next message:** [Jackson, Lisa Mecklenberg: "WestPac grant winner"](#)
 - **Previous message:** [Momsen Elaine: "Need J. of Workers' Compensation article"](#)
 - **Messages sorted by:** [\[date \]](#) [\[thread \]](#) [\[subject \]](#) [\[author \]](#)
-

We have a situation where a patron wants to bring in his own copier/scanner, instead of using our coin operated machines. Revenue from our copiers is a significant part of our budget, and we've had an unwritten policy to not allow this.

I was wondering if any other public access libraries have a policy on this (written or otherwise). If so, I would appreciate you sending it to me off list. Also, please let me know if copy revenue played a part in the decision to allow or not allow it.

Thanks in advance for your input.

Norma J. Wise, Director

James J. Lunsford Law Library

Hillsborough County

501 E. Kennedy Blvd - Suite 100

Tampa, FL 33602

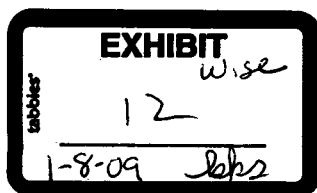
email: wisen@hillsboroughcounty.org

phone: (813) 272-5818

fax: (813) 272-5226

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- **Next message:** [Jackson, Lisa Mecklenberg: "WestPac grant winner"](#)
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 - **Messages sorted by:** [\[date \]](#) [\[thread \]](#) [\[subject \]](#) [\[author \]](#)
-

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JAMES J. LUNSFORD LAW LIBRARY

Hillsborough County
501 E. KENNEDY BOULEVARD - SUITE 100
TAMPA, FLORIDA 33602

NORMA J. WISE, Director

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Minutes of the James J. Lunsford (Hillsborough County) Law Library Board Meeting

Pursuant to notice duly given, The James J. Lunsford (Hillsborough County) Law Library Board ("Board") met on Monday, June 16, 2003, at 5:00 pm at the Law Library. Members present were Sandra Kellaher, Theodore Taylor, Carlos Pazos, and Thomas Parnell. Michael Ginsberg was unable to attend, Bill Spradlin, acting Director, acted as the Secretary of the meeting. Also present were Jim Lynch & Rudy Haidemota from the County Attorney's office and Mr. Dennis Hunt, a patron concerned about being allowed to bring in his own scanning device.

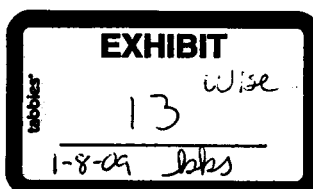
The Board was advised that not only did our pending legislation die in committee, but that the amendment to Article V passed in a special session (S.B. 113A) which takes away all funding that the Library received from our filing fees. Options as far as our funding are being researched, but at this time we are not sure where we stand. There will be a budget workshop July 17, at which time we should know if the County will continue to fund the Library.

Rudy Haidemota from the County Attorney advised the Board & Mr. Hunt that pursuant to section 119.08 Florida Statutes, patrons are allowed to bring in their own duplicating devices. The same section allows for a charge to be levied, but at this time the Board has decided not to pursue this.

There being no further business to come before the meeting, the same was, upon motion duly made, seconded and passed adjourned at 6:00 pm.


Bill C. Spradlin

Acting Ex Officio Secretary to the Board



Law Library Board

http://www.hillsboroughcounty.org/bds_coun/committees.cfm?BoardName=Law_Library_Board

Purpose:

The purpose of this Board is to collect, maintain and make available legal research material not generally obtainable elsewhere in the County for use by the bench, bar, students and the general public.

Members Appointed by: Board of County Commissioners The Hillsborough County Bar Association shall submit a minimum of three nominees for each appointment to be made and shall be reflective of the diversity of our community.

Maximum Membership: Five appointed voting directors, and the County Attorney or his designee serves as an ex-officio, non-voting director. Of the five appointed directors: -- One director shall be engaged in a solo law practice or as part of a small law firm containing no more than three (3) principals; and -- One director shall have a demonstrated interest in assisting pro se litigants.

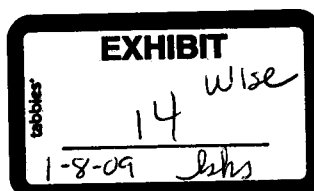
Length of Terms: Five year terms, commencing on the 1st of July.
Authority: Hillsborough County Ordinance No. 01-16
Meeting Time and Place: Annually and at call of the Chairman.
Special Requirements: Directors shall be Members of the Hillsborough County bar in good professional standing and of high moral character.

Contact Person:
Norma Wise, Director
Law Library
501 E. Kennedy Blvd.
Suite 100
Tampa, FL 33602

Law Library Board Members

<u>Name</u>	<u>Term</u>
Mr. Michael Ginsberg, Esq. -	06/30/03
Ms. Sandra M. Kellaheer, Esq. -	06/30/02
Mr. Jim Lynch, Esq. -	
Mr. Thomas E. Parnell, Esq. -	06/30/03
Mr. Carlos A. Pazos, Esq. -	06/30/01
Mr. Theodore Taylor, Esq. -	06/30/04

Boards and Councils



BOARD OF COUNTY COMMISSIONERS

Office of the County Attorney

Emeline C. Acton, County Attorney
Christine M. Beck, Chief Assistant
Donald R. Odom, Chief Assistant
James J. Porter, Chief Assistant
Jennie Granahan Tarr, Chief Assistant
Frances (Beth) Novak, Legal Office Administrator



Hillsborough County
Florida

County Center
601 E. Kennedy Blvd. -- 27th Floor

Mailing Address:
P.O. Box 1110
Tampa, Florida 33601
(813) 272-5670
Fax (813) 272-5231

November 12, 2003

Mr. Dennis Hunt
14111 Mossy Glen Lane
#203
Tampa, Florida 33613

Re: Public Records Requests
James J. Lunsford (Hillsborough County) Law Library

Dear Mr. Hunt;

This letter is in response to your public records request dated November 7, 2003. The Law Library has no written or non-written policies concerning "trespass warnings" or "enforcement of trespass warnings". These are criminal matters and are handled by law enforcement. Regarding the computer diskette, I informed you when you came to my office several months ago that the disk would be available for pick up the following Wednesday. I still have the diskette in my office - please let me know if you prefer me to mail it to you (there is a \$10.00 charge for the diskette).

I have requested the Payroll Department and Human Resources for a copy of the names and titles of Law Library employees and the information concerning days and time periods the employees worked at the Law Library during the time period you specified. The Law Library employees abide by the general policies and procedures that apply to all county employees. The Civil Service Rules contain 136 pages, for a cost of \$20.40. The Human Resources Policies and Procedures are 217 pages in length, for a cost of \$32.55. Please let me know if you want a copy of these documents.

Sincerely,

A handwritten signature in cursive script that reads "Mary Helen Campbell".

Mary Helen Campbell, General Counsel

Cc: Donald R. Odom, Interim County Attorney
Norma J. Wise, Director,
James J. Lunsford (Hillsborough County) Law Library

