

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

CASE NO. 10-CV-22236-ASG  
Magistrate Judge: Magistrate Judge Chris M. McAliley

HOWARD ADELMAN and JUDITH SCLAWY-  
ADELMAN, as Co-Personal Representative of the  
Estate of MICHAEL SCLAWY-ADELMAN,

Plaintiffs,

v.

BOY SCOUTS OF AMERICA, THE SOUTH  
FLORIDA COUNCIL, INC.; BOY SCOUTS OF  
AMERICA; PLANTATION UNITED  
METHODIST CHURCH; HOWARD K.  
CROMPTON, individually; and ANDREW L.  
SCHMIDT, individually,

Defendants.

\_\_\_\_\_ /

**AFFIDAVIT OF FREDERICK E. HASTY, III**

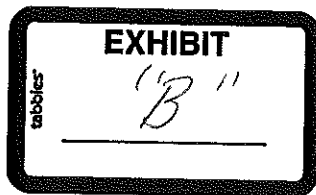
STATE OF FLORIDA

COUNTY OF MIAMI-DADE

COMES NOW the Affiant, Frederick E. Hasty, III, who being duly sworn upon  
oath and personal knowledge states the following:

1. My name is Frederick E. Hasty, III. I am undersigned counsel for Defendants,  
Howard K. Crompton and Andrew L. Schmidt in the above captioned matter.


2. I am scheduled to attend depositions of the persons with most knowledge of the  
Marriott International and The Ritz Carlton in the matter of **R. Travis Collins v.  
Marriott International, et al.**, which were noticed on December 22<sup>nd</sup>, 2010 by counsel  
for the Plaintiff. A copy of the Notice of Taking Depositions is attached.



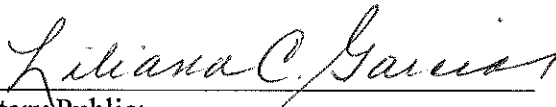
3. Undersigned counsel is not available to attend the Hearing currently scheduled before the Magistrate on Thursday, January 27<sup>th</sup>, 2011 at 2:00 p.m. as undersigned counsel will be in Orlando, Florida, and no other attorney is familiar enough with this matter to attend a Hearing of such importance.

4. Undersigned counsel has conferred with all other counsel and has determined that counsel for each of the parties is available for the Hearing this coming Monday, January 31<sup>st</sup>, 2011 at 9:00 a.m. Because of the conflict, good grounds exist for a continuance of the Hearing from Thursday, January 27<sup>th</sup>, 2011 until Monday, January 31<sup>st</sup>, 2011, if the Magistrate can accommodate undersigned counsel's schedule and the schedule of counsel for the Boy Scouts of America who also will be out of town on January 27<sup>th</sup> and January 28<sup>th</sup>, 2011, attending to business in Dallas, Texas.

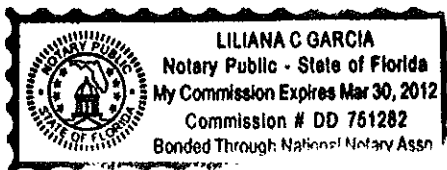
FURTHER AFFIANT SAITH NAUGHT

  
Frederick E. Hasty, III

Sworn to (or affirmed) and subscribed before me this 24<sup>th</sup> day of January, 2011, by Frederick E. Hasty, III, a person of lawful age, who is personally known to me and who did take an oath.

  
Notary Public:

My Commission Expires:



AK

✓ b

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 09-22423-CIV-JORDAN/McALILEY

R. TRAVIS COLLINS, as Personal Representative  
of the Estate of DAVID KNOWLTON, deceased,

Plaintiff,

vs.

MARRIOTT INTERNATIONAL, INC., a Maryland corporation; THE RITZ-CARLTON HOTEL COMPANY, LLC, a Maryland corporation; THE RITZ-CARLTON MANAGEMENT COMPANY, LLC, a Maryland corporation; THE RITZ-CARLTON HOTEL COMPANY, LTD., a foreign corporation; THE ABACO CLUB RC, LTD., a foreign corporation; and THE ABACO CLUB ASSOCIATION, LTD., a foreign corporation,

Defendants.

---

THE RITZ-CARLTON HOTEL COMPANY, LTD.,  
A foreign corporation; THE ABACO CLUB RC, LTD.,  
A foreign corporation; and THE ABACO CLUB  
ASSOCIATION, LTD., a foreign corporation,

Defendants/Third Party Plaintiffs,

vs.

D. SCOTT LIBERTORE,

Third Party Defendant.

---

**RE-NOTICE OF TAKING DEPOSITIONS**  
**PURSUANT TO F.R.CIV.P. 30(b)(6)**

Please take notice that **MARRIOTT INTERNATIONAL, INC.** is requested and required, pursuant to F.R.Civ.P. 30(b)(6), to designate and produce a person or persons to testify on behalf of **MARRIOTT INTERNATIONAL, INC.** on the matters listed below at **The Ritz Carlton Club Member Services Office, 6649 Westwood Boulevard, Third Floor, Orlando, Florida 32821**, to begin at 1 p.m. to 5 p.m. on Thursday, January 27, 2011, and from 9 a.m. to 3:00 p.m. on Friday, January 28, 2011:

The persons with the most knowledge of the following during 2006/2007:

1. The management structure of the entity involved in the day-to-day management of the Ritz Carlton at Winding Bay, Abaco, including the use of the name Ritz Carlton.
2. Any and all agreements between Ritz Carlton Hotel Company, Ltd. and any other named Defendant in this action pertaining to the operation and management of the Ritz Carlton at Winding Bay, Abaco.
3. Corporate structure for the implementation of procedures under each Defendant's Manual of Operations for the resort known as Ritz Carlton at Winding Bay, Abaco.
4. Persons from any of the Defendant corporations who attended any meetings at Winding Bay to discuss the Ritz Carlton at Winding Bay, Abaco, and its operations.
5. Persons and procedures in effect for the ordering of merchandise necessary for the operation of the Ritz Carlton at Winding Bay, Abaco.
6. Procedures for the ordering of all merchandise necessary for the operation of the Ritz Carlton at Winding Bay, Abaco.
7. Procedures between the Defendant corporations for the reporting on finances and services necessary for the operation of the Ritz Carlton at Winding Bay, Abaco.
8. Persons and procedures in place for the platting, recording, and sale of lots and homes at the Ritz Carlton at Winding Bay, Abaco, located at or on that area known as "The Point."

9. All visits by representatives of MARRIOTT INTERNATIONAL, INC. to the Ritz Carlton at Winding Bay, Abaco, and the purpose of each visit.
10. All visits to MARRIOTT INTERNATIONAL, INC. by representatives of Ritz Carlton at Winding Bay, Abaco, and the purpose of each visit.

upon oral examination before Central Florida Reporters Notary Public, or any other Notary Public or officer authorized by law to take depositions. The oral examination will continue from day to day until completed. These depositions are being taken for the purpose of discovery, for use at trial, or for such other purposes as are permitted under the rules of the Court.


#### Certificate of Service

We hereby certify that a true copy of the foregoing was sent via electronic and regular mail this 22<sup>nd</sup> day of December, 2010, to all counsel on the attached Service List.

DOFFERMYRE SHIELDS CANFIELD  
& KNOWLES, LLC  
1355 Peachtree Street, Suite 1600  
Atlanta, Georgia 30309  
Phone: 404-881-8900  
Fax: 404-881-3007  
By: Everette Doffermyre, Esquire  
Marti Fessenden, Esquire  
E-Mail: [edoffermyre@dsckd.com](mailto:edoffermyre@dsckd.com)  
[mfessenden@dsckd.com](mailto:mfessenden@dsckd.com)

and

LAW OFFICES OF ROBERT L. PARKS, P. L.  
2121 Ponce de Leon Boulevard, Suite 505  
Coral Gables, Florida 33134  
Phone: 305/445-4430  
Fax: 305/445-4431  
E-Mail: [Bob@RLPlegal.com](mailto:Bob@RLPlegal.com)

By:   
ROBERT L. PARKS, Florida Bar Number 061436

*Attorneys for Plaintiff*

cc: Central Florida Reporters  
407-422-3062  
[aubrey@centralfloridareporters.us](mailto:aubrey@centralfloridareporters.us)

**Service List**

Everette L. Doffermyre, Esquire  
[edoffermyre@dsckd.com](mailto:edoffermyre@dsckd.com)  
Martha J. Fessenden, Esquire  
[mfessenden@dsckd.com](mailto:mfessenden@dsckd.com)  
Doffermyre Shields Canfield & Knowles, LLC  
1355 Peachtree Street, Suite 1600  
Atlanta, Georgia 30309  
Phone: 404-881-8900  
Fax: 404-881-3007  
***Co-Counsel for Plaintiff***

David Neal Gambach, Esquire  
[dgambach@hamiltonmillerlaw.com](mailto:dgambach@hamiltonmillerlaw.com)  
Jerry D. Hamilton, Esquire  
[jhamilton@hamiltonmillerlaw.com](mailto:jhamilton@hamiltonmillerlaw.com)  
Hamilton Miller & Birthisel LLP  
150 SE Second Avenue, Suite 1200  
Miami, Florida 33131  
Phone: 305-379-3686  
Fax: 305-379-3090  
***Counsel for Defendants***

Frederick E. Hasty, III, Esquire  
[Fhasty@WickerSmith.com](mailto:Fhasty@WickerSmith.com)  
Wicker, Smith, O'Hara, McCoy & Ford, P. A.  
Grove Plaza, Fifth Floor  
2900 SW 28 Terrace  
Miami, Florida 33133  
Phone: 305-448-3939  
Fax: 305-441-1745  
***Counsel for Third Party Defendant, Libertore***