

# EXHIBIT "A"

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

CASE NO. 10-CV-22236-ASG

HOWARD ADELMAN AND JUDITH  
SCLAWY-ADELMAN, AS CO-PERSONAL  
REPRESENTATIVES OF THE  
ESTATE OF MICHAEL SCLAWY-ADELMAN,

Plaintiffs,

vs.

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.

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**AMENDED NOTICE OF VIDEO-TAPED DEPOSITION DUCES TECUM OF  
DEFENDANT BOYS SCOUTS OF AMERICA**

PLEASE TAKE NOTICE that Plaintiffs will take the deposition of Defendant Boy Scouts of America upon oral examination, pursuant to Federal Rule of Civil Procedure 30(b)(6), before an officer authorized by law to administer oaths either by federal law or by the law of the State of Texas in accordance with Rule 28 of the Federal Rule of Civil Procedure on the date, and at the time and at the address set forth herein. The oral examination will continue from day to day until completed.

The deposition will be recorded stenographically and *audiovisual* means.

The deposition is being taken for the purpose of discovery, for use at trial and for such other purposes as are permitted under the Federal Rules of Civil Procedure.

Boy Scouts of American shall designate one or more corporate officers, directors, managing agents, or other persons to testify on its behalf concerning the matters identified on Schedule A.


1/12/11

The deponent is requested to produce documents at the deposition as set forth on Schedule

B.

**DATE:** February 23-25, 2011  
**TIME:** 9:00 a.m.  
**PLACE:** Corporate Headquarters of Boy Scouts of America  
1325 West Walnut Hill Lane  
Irving, Texas

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the ADA coordinator no later than seven days prior to the proceeding. Telephone (305) 854-4900 for assistance.



**ROBERT D. PELTZ**  
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*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on January 18, 2011, I served the foregoing by email and First Class U.S. Mail to the persons listed on the attached Service List.



**ROBERT D. PELTZ**

cc: Friedman, Lombardi & Olsen  
305-371-6677 (Phone)/305-374-5292 (Fax)

Video Court Reporting, Inc.  
305-371-6455 (Phone)/305-371-7375 (Fax)

**SERVICE LIST**

**HOWARD ADELMAN AND JUDITH SCLAWY-ADELMAN**

**VS.**

**BOY SCOUTS OF AMERICA, et al**

**CASE NO.: 10-CV-22236-ASG**

**UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA**

<p><b>IRA H. LEESFIELD</b> LEESFIELD &amp; PARTNERS, P.A. 2350 S. Dixie Highway Miami, Florida 33133 Telephone: 305-854-4900 Facsimile: 305-854-8266 E-mail: <a href="mailto:leesfield@leesfield.com">leesfield@leesfield.com</a> <i>Attorneys for the Plaintiffs</i></p> <p><b>FREDERICK E. HASTY, III</b> WICKER, SMITH, O'HARA, MCCOY, GRAHAM &amp; FORD, P.A. 2800 Ponce de Leon Blvd. Suite 800 Coral Gables, Florida 33134 Telephone: 305-448-3939 Facsimile: 305-441-1745 Email: <a href="mailto:fhasty@wickersmith.com">fhasty@wickersmith.com</a> <i>Attorneys for Howard K. Crompton and Andrew L. Schmidt</i></p>	<p><b>WILLIAM S. REESE</b> <b>KEVIN D. FRANZ</b> LANE, REESE, SUMMERS, ENNIS &amp; PERDOMO, P.A. 2600 Douglas Road Douglas Centre, Suite 304 Coral Gables, Florida 33134 Telephone: 305-444-4418 Facsimile: 305-444-5504 Email: <a href="mailto:wreese@lanereese.com">wreese@lanereese.com</a> <a href="mailto:kfranz@lanereese.com">kfranz@lanereese.com</a> <i>Attorneys for Boys Scouts of America and The Defendant South Florida Council, Inc.; Boy Scouts of America</i></p> <p><b>GREG M. GAEBE</b> GAEBE, MULLEN, ANTONELLI &amp; DIMATTEO 420 South Dixie Highway, 3<sup>rd</sup> Floor Coral Gables, FL 33146 305-667-0223 305-284-9844 – Fax Email: <a href="mailto:ggaebe@gaebemullen.com">ggaebe@gaebemullen.com</a> <i>Attorneys for Plantation United Methodist Church</i></p>
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## SCHEDULE A

- 1.\* The corporate representative(s) with the most knowledge of Boy Scout procedures, policies, and guidelines related to outdoor scouting activities, in particular, hiking, tracking, any other scouting activities involving physical exertion, first aid, medical assistance, emergency preparedness, and communication procedures in case of emergency;
- 2.\* The corporate representative(s) who formulates, is responsible for, and enforces the organization's procedures, policies and guidelines related to each of the areas mentioned in Item # 1 and who is most knowledgeable regarding same.
- 3.\* The corporate representative(s) who formulates, is responsible for, and enforces procedures, guidelines and policies for first aid and emergency situations and is most knowledgeable regarding same;
4. The corporate representative(s) with the most knowledge of the facts and circumstances surrounding and related to the death of Michael Sclawy-Adelman.
- 5.\* The corporate representative(s) with the most knowledge and information on the process, procedures, or guidelines of communicating rules, regulations and procedures related to: (1) hiking and/or tracking activities and (2) rescue, safety, and emergency procedures;
- 6.\* The corporate representative(s) who formulates, is responsible for and enforces all health, safety, and emergency policies, procedures and guidelines, and is most knowledgeable regarding same;
- 7.\* The corporate representative(s) who formulates, is responsible for, and enforces policies, procedures, and guidelines for selection of scout masters and the responsibilities of scoutmasters, and who is most knowledgeable regarding same;
- 8.\* The corporate representative(s) who formulates, is responsible for and enforces all policies, procedures and guidelines for scoutmaster training, and who is most knowledgeable regarding same ;
- 9.\* The corporate representative(s) who formulates, is responsible for and enforces all policies, procedures and guidelines for scoutmasters and who is most knowledgeable regarding same.
- 10.\* The corporate representative(s) who formulates, is responsible for and enforces all policies, procedures and guidelines for chartered organizations such as Plantation United Methodist Church.

11. The corporate representative who is most knowledgeable about the entire scout organizational structure, scout activities, scouting procedures, policies, guidelines and responsibilities of each tier/level of the Boy Scout organization, from the Boy Scouts of America down to the Troop level.
  12. All claims and/or lawsuits asserted against the Boy Scouts for injuries and/or deaths related to outdoor scouting activities, in particular, hiking, tracking, camping and any other Scouting activities involving physical exertions or exposure to heat and elements from the year 2004 to the present.
  13. The facts and circumstances surrounding the heat related ailments of Scouts occurring during the 2005 National Scout Jamboree including but not limited to all procedures, policies and guidelines in effect at the time related to the outdoor scouting activities occurring during such event.
  14. All internal investigations, analysis, research and studies performed by the Boy Scouts of America and/or their agents, employees or representatives relating in any manner to the heat related occurring during the 2005 Jamboree as well as any changes in the Boy Scouts procedures, policies or guidelines considered as a result thereof.
  15. The facts and circumstances surrounding and related to the death of Scout Payden Sommers.
  16. The facts and circumstances surrounding and related to the death of Scout Timothy Nunn.
  17. The facts and circumstances surrounding and related to the death of Scout Jory Lohnes.
  18. The facts and circumstances surrounding and related to the death of Scout David Phillips.
  19. The facts and circumstances surrounding and related to all other scouts, who died or who required medical assistance, as a result of exposure to heat or dehydration while performing any outdoor Boy Scout activities from 2004 to present.
- \* The procedures, policies and guidelines referred to in the designated (asterisks) areas above refer to the procedures, policies and guidelines in effect during the year 2008 and at the present.

## SCHEDULE B

1. All non-privileged correspondence between Boy Scouts of America and any other defendant in this action which is related to items 1-8 of Schedule A.
2. All non-privileged correspondence between Boy Scouts of America and Troop 111 which is related to items 1-8 of Schedule A.
3. All non-privilege correspondence between Boy Scouts of America and Plantation United Methodist Church which is related to items 1-8 of Schedule A.
4. All materials provided wether directly or indirectly to Troop 111 by Boy Scouts of America which relate to items 1-8 of Schedule A.
5. All materials provided to South Florida Council by the Boy Scouts of America which related to items 1-8 of Schedule A.
6. All materials provided by South Florida Council, whether directly or indirectly, to Crompton or Schmidt which relate to items 1-8 of Schedule A.
7. All documents which relate to the subject matter of any designated deponent's area of knowledge and organizational responsibilities as set forth in items 1-8 of Schedule A.
8. Any correspondence between Boy Scouts of America and Michael Sclawy-Adelman.
9. Any correspondence between Boy Scouts of America and the Plaintiffs in this case.
10. Any materials provided by Boy Scouts of America, whether directly or indirectly to Michael Sclawy-Adelman.
11. Any materials provided by Boy Scouts of America whether directly or indirectly to the Plaintiffs in this case.
12. The cell phone record for **May 9, 2009**, for any employee, officer, manager, agent or representative of Boy Scouts of America which reflects:
  - calls to or from any defendant in this case,
  - calls to or from any employee, agent or representative of any defendant,
  - calls to or from the National Park Service,
  - calls to or from any law enforcement personnel,
  - calls to or from any other person or entitywhich are in any way or manner whatsoever related to the incident at issue in this case.

13. All complaints, correspondence asserting factual matters relating to the claimed incident and reports of investigation performed by the Boy Scouts of America, their agents or employees relating to matters asserted in items number 13-19 of Schedule

A.