

# EXHIBIT "B"

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 TAKING VIDEO-TAPED DEPOSITION DUCES TECUM OF  
DEFENDANT SOUTH FLORIDA COUNCIL, INC. BOY SCOUTS OF AMERICA**

PLEASE TAKE NOTICE that Plaintiffs will take the deposition of Defendant South Florida Council, Inc., 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 Florida 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.

South Florida Council, Inc., 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.

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

B.



**DATE:** February 14, 2011

**TIME:** 9:00 a.m.

**PLACE:** Corporate Headquarters of South Florida Council, Inc., Boy Scouts of America  
15255 NW 82 Street  
Miami Lakes, Florida

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.



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**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  
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Video Court Reporting, Inc.  
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**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**

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Church*

12. The corporate representative(s) who formulates, and/or is responsible for and/or enforces all policies, procedures and guidelines for Troop 111.
  13. 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.
  14. 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.
  15. 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 ailments occurring during the 2005 Jamboree as well as any changes in the Boy Scouts procedures, policies or guidelines considered as a result thereof.
  16. The facts and circumstances surrounding and related to the death of Scout Payden Sommers.
  17. The facts and circumstances surrounding and related to the death of Scout Timothy Nunn.
  18. The facts and circumstances surrounding and related to the death of Scout Jory Lohnes.
  19. The facts and circumstances surrounding and related to the death of Scout David Phillips.
  20. 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 the 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 years 2008 and at the present.

## SCHEDULE B

1. All non-privileged correspondence between South Florida Council and any other defendant in this action which is related to items 1-10 of Schedule A.
2. All non-privileged correspondence between South Florida Council and Troop 111 which is related to items 1-10 of Schedule A.
3. All non-privilege correspondence between South Florida Council and Plantation United Methodist Church which is related to items 1-10 of Schedule A.
4. All materials provided wether directly or indirectly to Troop 111 by South Florida Council which relate to items 1-10 of Schedule A.
5. All materials provided to South Florida Council by the Boy Scouts of America which related to items 1-10 of Schedule A.
6. All materials provided by South Florida Council, whether directly or indirectly, to Crompton or Schmidt which relate to items 1-10 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 1-10 of Schedule A.
8. Any correspondence between South Florida Council and Michael Sclawy-Adelman.
9. Any correspondence between South Florida Council and the Plaintiffs in this case.
10. Any materials provided by South Florida Council, whether directly or indirectly to Michael Sclawy-Adelman.
11. Any materials provided by South Florida Council 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 South Florida Council 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.
10. Any and all photographs, videotapes, charts, maps, and other documentary evidence relative to the subject hike.

11. Any and all insurance policies that may provide benefits or coverage to this defendant for any claimed injury or damage from the subject incident or occurrence, including any umbrella or excess insurance coverage.
12. Any and all statements of plaintiff(s), plaintiffs' agents and employees, or plaintiff's witnesses; and defendant(s), defendants' agents and employees; bearing on knowledge of facts relevant and material to the claims and defenses in the instant litigation.
13. The South Florida Council's investigative file pertaining to the May 9, 2009, hike and/or the death of Michael Sclawy-Adelman, including, but not limited to any and all notes, correspondence, statements, interviews, audio recordings, video recordings, photographs, charts, maps and reports.
14. The South Florida Council's complete file on Howard K. Crompton, including but not limited to scouting records, Scoutmaster records, all training records, certifications, licenses, merits, de-merits, disciplinary actions and warnings.
15. The South Florida Council's complete file on Andrew L. Schmidt, including but not limited to scouting records, Scoutmaster records, all training records, certifications, licenses, merits, de-merits, disciplinary actions and warnings.
16. Entire scouting and Scoutmaster file for Howard K. Crompton.
17. Entire scouting and Scoutmaster file for Andrew L. Schmidt.
18. Any and all written guidelines, training manuals, checklists, policies, procedures, first aid training handbooks, manuals, or other written document, as well as videotape and computerized materials that provide instruction, guidance and training to Scoutmasters.
19. Any and all documentation, correspondence, memoranda, records or notes regarding complaints made by any individual, entity or agency (whether public or private) relative to boy scout hikes for the past 10 years.
20. Any notices, warnings, orders or directives from any governmental agency indicating the presence of any violation on the part of the Defendant The South Florida Council relative to the subject incident.
21. Any and all documents in the possession of South Florida Council and/or this deponent relative to the application, selection, retention, review or the like of Scoutmaster Howard K. Crompton.
22. Any and all documents in the possession of South Florida Council and/or this deponent relative to the application, selection, retention, review or the like of Scoutmaster Andrew L. Schmidt.

23. Any and all documents in the possession of South Florida Council and/or this deponent relative to any scouting activities of Defendant Howard K. Crompton at any time.
24. Any and all documents in the possession of South Florida Council and/or this deponent relative to any scouting activities of Defendant Andrew L. Schmidt at any time.
25. A copy of any and all complaints filed in any court of law against South Florida Council relative to scouts injured or killed on boy scout related hikes over the past 10 years.
26. Any permits received or provided by South Florida Council and/or this deponent relative to the May 9, 2009 from any source whatsoever.
27. Any applications received by or provided for permits relative to the May 9, 2009, hike.
28. Any notification or any other documents, materials or tangible things the South Florida Council and/or this deponent provided to the National Park Service personnel or officials relative to the May 9, 2009 hike.
29. 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 13-20 of Schedule A.