

# 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.

NOTICE OF DEPOSITION DUCES TECUM

PLEASE TAKE NOTICE that the undersigned attorneys will take the deposition of:



<u>DEPONENT/NAME</u>	<u>DATE AND TIME</u>	<u>PLACE</u>
Joshua Crist	February 18, 2011 9:00 a.m.	Corporate Headquarters of South Florida Council, Inc., Boy Scouts of America 15255 NW 82 Street Miami Lakes, Florida

Upon oral examination before an officer authorized by law to administer oaths in accordance with Rule 28 of the Federal Rules of Civil Procedure in the State of Florida at the address listed above. The oral examination will continue from day to day until completed. The deposition will be recorded stenographically and by audiovisual means. The deposition is being taken for the purpose of discovery, for use at trial or for such other purposes as are permitted under the applicable Federal

Rules of Civil Procedures.

The deponents is requested to produce documents at the deposition as set forth in Schedule A.

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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*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on January 10, 2011, I served the foregoing by email and First Class U.S. Mail to the persons listed on the attached Service List.



**IRA H. LEESFIELD**

**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>WILLIAM S. REESE</b> <b>WILLIAM SUMMERS</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> <a href="mailto:wsummers@lanereese.com">wsummers@lanereese.com</a></p> <p><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>
<p><b>FREDERICK E. HASTY, III</b> WICKER, SMITH, O'HARA, MCCOY, GRAHAM &amp; FORD, P.A. Grove Plaza Building, 5<sup>th</sup> Floor 2900 Middle Street Miami, Florida 33133 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>	

**SCHEDULE A**

1. All non-privileged correspondence, emails or other types of communication between the South Florida Council and/or this deponent and Troop 111.
2. All correspondence, emails or other types of communications between South Florida Council and/or this deponent Michael Sclawy-Adelman or the Plaintiffs in this case.
3. All non-privileged correspondence, emails or other types of communications between the South Florida Council and/or this deponent, and defendants Crompton or Schmidt.
4. All documents, materials or tangible things which relate to the responsibilities of this deponent with respect to Crompton and Schmidt and/or Plantation United Methodist Church and/or Troop 111.
5. The cell phone record for **May 9, 2009**, for this deponent 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 person or entitywhich are in any way or manner whatsoever related to the incident at issue in this case.
6. All documents, materials or tangible things which the South Florida Council and/or this deponent sent or caused to be sent to Crompton and Schmidt and/or Troop 111.
7. All documents, materials or tangible things which the South Florida Council and/or this deponent sent or caused to be sent to Michael Sclawy-Adelman or the Plaintiffs in this case.
8. All documents, materials or tangible things which are related to the hike of May 9, 2009.
9. All documents, materials or tangible things related to Michael Sclawy-Adelman and/or his death.
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.