

66450-3

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISIONCASE NO. 10-CV-22236-ASG
Magistrate Judge: Magistrate Judge Chris M. McAlleyHOWARD ADELMAN and JUDITH SCLAWY-
ADELMAN, as Co-Personal Representative of the
Estate of MICHAEL SCLAWY-ADELMAN,

Plaintiffs,

v.

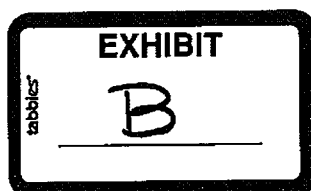
BOY SCOUTS OF AMERICA, THE SOUTH
FLORIDA COUNCIL, INC.; BOY SCOUTS OF
AMERICA; PLANTATION UNITED
METHODIST CHURCH; HOWARD K.
CROMPTON, individually; and ANDREW L.
SCHMIDT, individually,

Defendants.

**DEFENDANT, ANDREW L. SCHMIDT'S OBJECTION TO AND PRIVILEGE
LOG REGARDING NOTICE OF TAKING DEPOSITION DUCES TECUM**

The Defendant, ANDREW L. SCHMIDT, by and through the undersigned
counsel, hereby files this Objection to and Privilege Log Regarding Notice of Taking
Deposition Duces Tecum, as follows:

1. E-mail sent by Andrew L. Schmidt on 5/10/2009 at 1:16:59 PM, to Annette Hungler with subject "Troop 111 Incident". Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
2. E-mail sent by Andrew L. Schmidt on 5/10/2009 at 1:59:11 PM, to Troop 111, with subject "Important Troop 111 Announcement". Objection is made on the



CASE NO. 10-CV-22236-ASG

grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.

3. E-mail sent by Dean Kubler on 5/10/2009 6:30:43 PM, to Andrew L. Schmidt with subject "Important Troop 111 Announcement". Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
4. E-mail sent by Cliff Friewald on 5/11/2009 at 9:05:22 AM, to Andrew L. Schmidt with subject Scouters in Pine Island. Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
5. E-mail sent by Andrew L. Schmidt on 5/11/2009 at 11:28:17 AM, to Troop 111 with subject "Troop 111 Family". Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
6. E-mail sent by Andrew L. Schmidt on 5/11/2009 at 11:28:17 AM, to Linda Vedsted with subject "Troop 111 Family". Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
7. E-mail sent by Andrew L. Schmidt on 5/11/2009 at 12:25 PM, to Annette Hungler, Dean Kubler and Cliff Friewald, with subject "Trek Safely - T111". Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.

CASE NO. 10-CV-22236-ASG

8. E-mail sent by Andrew L. Schmidt on 5/11/2009 at 12:25 PM, to Cliff Friewald with subject "Trek Safely -- T111". Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
9. E-mail sent by Cliff Friewald on 5/11/2009 at 1:05:10 PM to Andrew L Schmidt with subject "Trek Safely - T111". Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
10. E-mail sent by Annette Hungler on 5/11/2009 at 1:11:46 PM, to Andrew L. Schmidt with subject "Pine Island District family". Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
11. E-mail sent by Andrew L. Schmidt on 5/11/2009 at 1:30:42 PM, to Annette Hungler with subject "review of message to Pine Island District family". Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
12. E-mail sent by Linda Vedsted on 5/11/2009 at 4:10:18 PM, to Andrew L. Schmidt with subject "Troop 111 Family". Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
13. E-mail sent by Andrew L. Schmidt on 5/11/2009 at 4:25:54 PM, to Linda Vedsted, with subject "Michael's Scout record". Objection is made on the

CASE NO. 10-CV-22236-ASG

grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.

14. E-mail sent by Andrew L. Schmidt on 5/11/2009 at 5:42:46 PM, to Dean Kubler, with subject "Important Troop 111 Announcement". Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
15. E-mail sent by Andrew L. Schmidt on 5/12/2009 at 5:54:00 AM, to Dean Kubler, with subject "Update". Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
16. E-mail sent by Andrew L. Schmidt on 5/12/2009 at 8:52:12 AM, to Blanca, with subject "Troop Hike". Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
17. E-mail sent by Andrew L. Schmidt on 5/12/2009 at 9:37:36 AM, to Cindi Inklebarger, Rosemary Novak and Diane Pombier, with subject "Thank You-Again". Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
18. E-mail sent by Andrew L. Schmidt on 5/13/2009 at 3:37:12 PM, to Dean Kubler, with subject "Tonight's Meeting-Eagle". Objection is made on the

CASE NO. 10-CV-22236-ASG

grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.

19. E-mail sent by Rosemary Novak on 5/13/2009 at 2:29:14 PM, to Andrew L. Schmidt, with subject "Another P.I.A. from Ro". Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
20. E-mail sent by Andrew L. Schmidt on 5/13/2009 at 3:11:21 PM, to Rosemary Novak, with subject "Another P.I.A. from Ro". Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
21. E-mail sent by Cliff Friewald on 5/14/2009 at 12:05:40 PM, to Andrew L. Schmidt and Howard L. Crompton regarding friendship of Scoutmasters. Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
22. E-mail sent by Andrew L. Schmidt on 5/14/2009 at 8:29 AM, to Howard K. Crompton, et al., regarding Michael Adelman and the Spirit of the Eagle Award. Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
23. E-mail sent by Dean Kubler on 5/14/2009 at 1:15:01 PM, to Andrew L. Schmidt regarding Michael Adelman and the Spirit of the Eagle Award. Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.

CASE NO. 10-CV-22236-ASG

24. E-mail sent by Cindi Inklebarger on 5/14/2009 at 2:00:40 PM, to Andrew L. Schmidt regarding Michael Adelman and the Spirit of the Eagle Award. Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
25. E-mail sent by Richard Ware on 5/14/2009 at 4:04:17 PM, to Andrew L. Schmidt regarding Michael Adelman and the Spirit of the Eagle Award. Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
26. E-mail sent by Pat Quinn on 5/14/2009 at 8:53:01 AM, to Andrew L. Schmidt regarding Michael Adelman and the Spirit of the Eagle Award. Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
27. E-mail sent by Linda Vedsted on 5/14/2009 at 8:46:04 AM, to Andrew L. Schmidt regarding Michael Adelman and the Spirit of the Eagle Award. Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
28. E-mail sent by Chris Zimmerman on 5/15/2009 at 7:56:55 AM, to Andrew L. Schmidt and Howard K. Crompton, et al., regarding Michael Adelman and the Spirit of the Eagle Award. Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.

CASE NO. 10-CV-22236-ASG

29. E-mail sent by Andrew L. Schmidt on 5/15/2009 at 3:15 PM, to Chris Zimmerman, regarding Michael Adelman and the Spirit of the Eagle Award. Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
30. E-mail sent by Andrew L. Schmidt on 5/16/2009 at 5:36:23 AM, to Dean Kubler regarding Michael Adelman and the Spirit of the Eagle Award. Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
31. E-mail sent by Andrew L. Schmidt on 4/4/2009 at 6:55:41 AM, to Troop 111 regarding Hiking Merit Badge 10 mile hike. Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.
32. E-mail sent by Andrew L. Schmidt on 4/4/2009 at 6:50:33 AM, to Troop 111 regarding Hiking Merit Badge 10 mile hike. Objection is made on the grounds of relevance, materiality, confidentiality, and privacy. Privilege is asserted on the grounds of confidentiality and privacy.

I HEREBY CERTIFY that on March 7, 2011, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

CASE NO. 10-CV-22236-ASG

WICKER, SMITH, O'HARA, MCCOY &
FORD, P.A.

Attorney for Andrew L. Schmidt

2800 Ponce de Leon Boulevard

Suite 800

Coral Gables, FL, 33134

Phone: (305) 448-3939

Fax: (305) 441-1745

By: /s/ Frederick E. Hasty III

Frederick E. Hasty III

Florida Bar No. 260606

CASE NO. 10-CV-22236-ASG

Service List

Ira H. Leesfield, Esquire
Leesfield & Partners, P.A.
2350 South Dixie Highway
Miami, FL 33133

Robert D. Peltz, Esquire
Leesfield & Partners, P.A.
2350 South Dixie Highway
Miami, FL 33133

William S. Reese, Esquire
Lane, Reese, Summers, Ennis & Perdomo
Douglas Centre, Suite 304
2600 Douglas Road
Coral Gables, FL 33134

Greg M. Gaebe, Esquire
Gaebe, Mullen, Antonelli, Esco & DiMatteo
420 South Dixie Highway, 3rd Floor
Coral Gables, FL 33146