

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO. 10-CV-22236-ASG

HOWARD ADELMAN AND JUDITH SCLAWY,
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.

PLAINTIFFS' AMENDED DISCLOSURES PURSUANT TO FRCP 26(a)(1)

Plaintiff, by and through undersigned counsel, hereby makes the following amended disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1)(A):

Fed.R.Civ.Pro. 26(a)(1)(A)(i):

Plaintiff currently believes that the following persons may have information:

1. **Howard Adelman**
Leesfield & Partners, P.A.
South Dixie Highway
Miami, FL 33133

See deposition.

2. **Judith Sclawy**
Leesfield & Partners, P.A.
2350 South Dixie Highway
Miami, FL 33133

See deposition.

3. **Elisabeth Sclawy-Adelman**
Leesfield & Partners, P.A.
2350 South Dixie Highway
Miami, FL 33133

See deposition.

4. **Howard K. Crompton**
c/o Wicker, Smith, O'Hara McCoy & Ford, PA
2900 SW 28 Terrace
Miami, FL 33133

See deposition.

5. **Andrew L. Schmidt**
c/o Wicker, Smith, O'Hara McCoy & Ford, PA
2900 SW 28 Terrace
Miami, FL 33133

See deposition.

6. **Boy Scouts of America**
c/o Lane, Reese, Summers, Ennis & Perdomo, P.A.
2600 Douglas Road
Douglas Centre, Suite 304
Coral Gables, Florida 33134

Boy Scouts of America possesses discoverable information regarding liability.

7. **Frank Reigelman**
BSA Corporate Representative
1325 West Walnut Hill Lane
Irving, TX

See deposition.

8. **Richard Bourlon**
BSA Corporate Representative
1325 West Walnut Hill Lane
Irving, TX

See deposition.

9. **The South Florida Council, Inc.; Boy Scouts of America**
c/o Lane, Reese, Summers, Ennis & Perdomo, P.A.
2600 Douglas Road
Douglas Centre, Suite 304
Coral Gables, Florida 33134

The South Florida Council, Inc.; Boy Scouts of America possesses discoverable information regarding liability.

10. **Joshua Crist**
250 S.W. 159th Way
Sunrise, FL

See deposition.

11. **Jeff Hunt**
13210 S.W. 30th Court
Davie, FL

See deposition.

12. **John Anthony**
1525 N.W. 82nd Avenue
Miami Lakes, FL

See deposition.

13. **Plantation United Methodist Church**
c/o Gaebe, Mullen, Antonelli & DiMatteo
420 South Dixie Highway, 3rd Floor
Coral Gables, FL 33146

Plantation United Methodist Church possesses discoverable information regarding liability.

14. **Tim Smiley**

228 Cheryl Drive
Jacksonville, FL

See deposition.

15. **Chase Howard Crompton**
Boy Scout
10349 NW 2nd Court
Plantation, FL 33324
(954) 474-9910

See deposition.

16. **Kristopher L. Leon**
Boy Scout
16880 SW 22nd Avenue
Ft. Lauderdale, FL
(954) 583 -4550

See deposition.

17. **Phillip King**
Former Boy Scout
Current address unknown

Phillip King may possess discoverable information regarding liability and damages.

18. **Sam Kent**
Former Boy Scout
c/o University of Florida

Sam Kent may possess discoverable information regarding liability and damages.

19. **Edward Clark**, Chief Park Ranger
U.S. Department of the Interior
National Park Service
Big Cypress National Preserve
33100 Tamiami Trail East
Ochopee, FL 34141
(239) 340-8395

Edward Clark possesses discoverable information regarding liability and/or damages.

20. **Drew D. Gilmour**, Supervisory Park Ranger
U.S. Department of the Interior
National Park Service
Big Cypress National Preserve
Current address Devils Monument Preserve
Wyoming

Drew D. Gilmour possesses discoverable information regarding liability and/or damages.

21. **Gary Shreffler**, Park Ranger
U.S. Department of the Interior
National Park Service
Big Cypress National Preserve
33100 Tamiami Trail East
Ochopee, FL 34141
(239) 695-1213

Gary Shreffler possesses discoverable information regarding liability and/or damages.

22. **Garnet Tritt**, Park Ranger
U.S. Department of the Interior
National Park Service
Nashville, TN

See deposition.

23. **Wynn Carney**, Park Ranger
U.S. Department of the Interior
National Park Service
Denali National Park
Anchorage, Alaska

See deposition.

24. **Susan Haseltine**
Former Park Ranger
54 Pine Lane
Brookfield, Massachusetts

25. **Jonnie Gove**
Former Park Ranger
Current address unknown

26. **Mike O'Leary**
Big Cypress Aviation/Fire Cache Manager
Fire Operation Center
24940 Highway 29
Copeland, FL 34137
(239) 695-9280

Mike O'Leary may possess discoverable information regarding liability and/or damages.

27. **Bruce Dissel**
Former Helicopter Manager
Fire Operation Center
Current address unknown
Current telephone unknown

Bruce Dissel may possess discoverable information regarding liability and/or damages.

28. **Gary Freeman**
Former Helicopter Pilot
Fire Operation Center
Current address unknown
Current telephone unknown

Gary Freeman may possess discoverable information regarding liability and/or damages.

29. As of yet unidentified officers, investigators and representatives of the U.S. Department of the Interior, National Park Service, Big Cypress National Preserve, Fire Operation Center, who were involved with the subject incident and may possess discoverable information regarding liability and/or damages.

30. **Detective Kevin P. O'Neill**
Major Crimes Unit
Collier County Sheriff's Office
3301 Tamiami Trail E, Building J
Naples, FL 34112
(239) 793-9479

See deposition.

31. **Deputy J.R. Comings**
Collier County Sheriff's Office
Everglades City substation, District 7
32020 Tamiami Trail East
Ochopee, FL 34141
(239) 793-9267

Deputy J.R. Comings may possess discoverable information regarding liability and/or damages.

32. **Sandra Betts**
Collier County Sheriffs Department Corporate Representative
8075 Lely Cultural Parkway
Naples, FL

See deposition.

33. **Roni Turi**
Collier County Sheriffs Department
2373 E. Horseshoe Drive
Naples, FL

See deposition.

34. **Nancy Carroll**
Collier County Sheriffs Department
911 Operator
8075 Lely Cultural Parkway
Naples, FL

Ms. Carroll may possess information regarding the liability and damage issues in this case.

35. **Amanda Smith**
Collier County Sheriffs Department
911 Operator
8075 Lely Cultural Parkway
Naples, FL

Ms. Smith may possess information regarding the liability issues and damage in this case.

36. **Travis Anderson**
Collier County Sheriffs Department
911 Operator
8075 Lely Cultural Parkway
Naples, FL

Mr. Anderson may possess information regarding the liability issues and damage in this case.

37. **John Arena**
Collier County Sheriffs Department
911 Operator
8075 Lely Cultural Parkway
Naples, FL

Mr. Arena may possess information regarding the liability and damage issues in this case.

38. **Bob Finney, III.**
Technical Manager
Collier County Sheriffs Department
8075 Lely Cultural Parkway
Naples, FL

Mr. Finney may have information concerning the liability and damage issues in this case.

39. **Sandy Chernoff**
911 Coordinator
Collier County Sheriffs Department
8075 Lely Cultural Parkway
Naples, FL

40. Other 911 Operator dispatchers and supervisors identified by Sandra Betts in her deposition taken on June 3, 2011.

41. **Sandra Boggs**
Collier County Sheriffs Department
8075 Lely Cultural Parkway
Naples, FL

Ms. Boggs may have information concerning the liability and damages issues in this case.

42. As of yet unidentified officers, investigators and representatives of the Collier County Sheriff's Department who were involved with the subject incident and may possess discoverable information regarding liability and/or damages.

43. **Armando Rodolfo Pina**
Collier County EMS/Fire Rescue
Current address unknown.

Armando Rodolfo Pina possesses information regarding liability and/or damages.

44. **Eric Mancino, R.N.**
Naples Community Hospital
350 Seventh Street North
Naples, FL

See deposition.

45. As of yet unidentified employees, personnel and representatives of Naples Community Hospital who were involved with the subject incident and may possess discoverable information regarding liability and/or damages.

46. **Manfred C. Borges, M.D.**
District Twenty Medical Examiner
3838 Domestic Avenue
Naples, FL 34104

See deposition.

47. As of yet unidentified employees, personnel and representatives of the District Twenty Medical Examiner's Office who were involved with the subject incident and may possess discoverable information regarding liability and/or damages.

48. **Dr. William Lee Hearn**
Dade County Medical Examiner Department - Toxicology Division
Number One on Bob Hope Road
Miami, FL 33136
(305) 545-2400

See deposition.

49. **Rich Levenson**
South Florida Council
Current address unknown
Current telephone unknown

Rich Levenson may possess information regarding liability and damages..

50. **Doug Beals**
2448Key Largo Lane
Ft. Lauderdale, FL

See deposition.

51. **Rosemary Novak**
Volunteer/Mother of another Scout in Troop 111
Current address unknown
Current telephone unknown

Rosemary Novak may possess information regarding liability and/or damages.

52. **Carol Henderson**
Volunteer/Mother of another Scout in Troop 111
Current address unknown
Current telephone unknown

Carol Henderson may possess information regarding liability and/or damages.

53. **Linda Vedsted**
Chartered Organization Representative
Plantation United Methodist Church
5860 NW 15th St.
Sunrise, FL 33313
(954) 295-5641

See deposition.

54. **Sherrill Lowrey**
11552 NW 1st Street
Plantation, FL

Sherrill Lowrey may possess information regarding liability and/or damages.

55. **Robert Lowrey**
11552 NW 1st Street
Plantation, FL

Robert Lowrey may possess information regarding liability and/or damages.

56. **Pat Roberts**
2130 SW 51st Terrace
Plantation, FL

Pat Roberts may possess information regarding liability and/or damages.

57. **Patti Roberts**
2130 SW 51st Terrace
Plantation, FL

Patti Roberts may possess information regarding liability and/or damages.

58. **Patricia Geyer**
2130 S.W. 51st Street
Plantation, FL

See deposition.

59. Michael Sclawy-Adelman's medical providers, including:

Jeffrey Fliegenspan, M.D. - Pediatrician
3126 North Federal Highway
Lighthouse Point, FL 33064
(888) 495-3148

Ronald Bullard, M.D. - Pediatrician
1835 North Corporate Lakes Boulevard
Weston, FL, 33326
(954) 389-7000

See deposition.

Jose Flores, M.D.
5800 Colonial Drive, Suite 405
Margate, FL 33063
(954) 969-0074

Kenneth Taylor, M.D.
3700 Washington St.
Hollywood, FL 33021
(888-572-0904)

See deposition.

Walter Fingerer, M.D.
and/or Records Custodian
3001 North West 49th Avenue
Lauderdale Lakes, FL, 33313
(954) 484-5445

Mark Mautner, DMD
and/or Records Custodian
1601 North Palm Avenue
Pembroke Pines, FL 33026-3200
(954) 435-5020

Robert Sheinberg, DPM
and/or Records Custodian
1600 Town Center Circle, Suite C
Weston, FL 33326-3641
(954) 389-5751

Mark Dorfman, M.D.
and/or Records Custodian
2740 Hollywood Boulevard
Hollywood, FL 33020
(954) 925-2740

Jose G. Poliak, M.D.
and/or Records Custodian
5800 Colonial Drive
Pompano Beach, FL 33063
(954) 979-8770

Elizabeth Louie, M.D.
and/or Records Custodian
The Center for Precious Minds
7000 West Camino Real
Boca Raton, FL 33433
(561) 368-8686

Jeffrey Heilig, DMD
and/or Records Custodian
1040 Weston Road, Suite 300
Weston FL 33326-1912
(954) 384-8888

Bethesda Memorial Hospital
Records Custodian
2815 S. Seacrest Blvd.
Boynton Beach, FL 33435
(561)-737-7733

Westside Regional Hospital
Records Custodian
8201 W. Broward Blvd.
Plantation, FL 33324
(954) 476-3948

Pediatric Associates
Records Custodian
4620 N. State Rd
Suite 316, Bldg H
Lauderdale Lakes, FL 33319

Memorial Hospital West
Records Custodian
Emergency Department
703 N. Flamingo Rd.
(954) 844-7147

Miami Children's Hospital
Records Custodian
3100 SW 62nd Ave.
Miami, FL 33155
(305) 669-6412

Ms. Wendy Weiner, Ed.D.
and/or Records Custodian
Conservatory Prep Senior High School
5850 S. Pine Island Road
Davie, FL 33328
(954) 680-5808

Jacqueline Schwartz
and/or Records Custodian
2605 N Hiatus Road
Hollywood, FL 33026
(954)-433-3530

**Collier County EMS
and/or Records Custodian**
8075 Lely Cultural Parkway
Suite 267
Naples, FL 34113

60. **Lisa Miller**
Debate Coach
Nova High School

Ms. Miller will have knowledge concerning the damage issues.

61. **Kris Geyer-Roberts**
Current address unknown.

A friend of Michael who would have information regarding damages.

62. **Rabbi Samuel Keiffer**
B'nai Aviv
1410 Indian Trace
Weston, FL 33326-2771

Rabbi Keiffer has knowledge regarding the damages issues and Jewish law regarding autopsies.

63. **Michael Bianni**
c/o University of Florida

A friend of Michael who would have information regarding damages.

64. **Brianna Patullo**
Current address unknown

A friend of Michael who would have information regarding damages.

65. **Mark Whiteman**
c/o University of Florida

A friend of Michael who would have information regarding damages.

66. **Jason Bernstein**
c/o University of Florida

A friend of Michael who would have information regarding damages.
67. **Mark Katz**
c/o Florida State University

A friend of Michael who would have information regarding damages.
68. **Dennis Toledo**
c/o University of Florida

A friend of Michael who would have information regarding damages.
69. **Ellen Bernak**
1416 Glenwood Road
Brooklyn, NY 11230

Family member with knowledge of the liability and damage issues.
70. **Thomas Brickenden**
1801 Aspen Lane
Weston, FL 33327

Family friend with knowledge of the liability and damage issues.
71. **Suzanne Lietner**
600 North Hiatus Rd., #201
Pembroke Pines, FL 33024

Ms. Leitner will have knowledge of the damage issues.
72. As of yet unidentified employees, agents, servants, and representatives of the Defendants who may possess discoverable information regarding liability and/or damage issues.
73. Other persons to be identified during the course and scope of discovery may possess discoverable information regarding liability and/or damage issues.
74. Experts as to liability and damages, who will be determined and identified in accordance with court rules and orders, may possess discoverable information regarding liability and/or damage issues.

75. Plaintiffs reserve the right to identify other individuals within the scope of Rule 26(a)(1)(A) of the Federal Rules of Civil Procedure as discovery and investigation continue.
76. All witnesses who have been deposed in this case.
77. All witnesses identified by the Defendants in their Rule 26 Disclosures.

Fed.R.Civ.Pro. 26(a)(1)(A)(ii):

In addition to documents and tangible items identified by the defendants, the Plaintiffs identify the following documents and tangible items currently in their possession. Those documents in the Plaintiffs' possession have been previously produced and made available for inspection and photocopying and/or were produced by other parties or witnesses in discovery in this case.

1. Report and Investigative File furnished by the U.S. Department of the Interior, National Park Service.
2. Collier County Sheriff's Office Offense Incident Report.
3. District Twenty Medical Examiner's Report.
4. Audio and transcripts of the 911 call made to the Collier County Sheriff's Office.
5. Boy Scouts of America: Scoutmaster and Assistant Scoutmaster Leader Specific Training.
6. Boy Scouts of America: Introduction to Outdoor Leader Skills.
7. Boy Scouts of America: The Scoutmaster Handbook.
8. Boy Scouts of America: Fieldbook.
9. Boy Scouts of America: The Boy Scout Handbook.
10. Trek Safely.
11. Guide to Safe Scouting.
12. BSA's Sweet 16 of Safety.

13. Scoutmaster/Assistant Scoutmaster Leadership to Specific Training.
14. BSA Managing Risk.
15. New Leadership Essentials Manual.
16. BSA Planning and Conducting Safe Hike.
17. BSA Youth Protection Policy.
18. BSA Duties of Scoutmaster.
19. BSA Health to Safety Guide.
20. 2005 National BSA Jamboree Survey.
21. Articles on Heat Injuries at 2005 BSA Jamboree.
22. Leaders Updates for 2010 Jamboree.
23. 2005 BSA Jamboree Staff Guide.
24. Articles Regarding 2005 BSA Jamboree.
25. 2005 BSA Council Jamboree Guide.
26. 2005 BSA Jamboree Troop Leader Guide.
27. Documents, reports and other materials from the 2005 BSA Jamboree produced by the BSA.
28. Documents, reports and other materials from the 2010 BSA Jamboree produced by the BSA.
29. Public Health Service After Action Report for 2010 BSA Jamboree.
30. 2010 BSA Jamboree Enterprise Risk Management Plan.
31. 2010 Jamboree After Action Medical Services Report.
32. 2010 BSA Jamboree Activity Heat Index.
33. 2010 Jamboree Medical Services Report.
34. 2010 BSA Jamboree Flag System.

35. 2005 Jamboree Health and Safety Operations.
36. BSA After Action Review for 2005 Jamboree.
37. Report from 2005 Jamboree Chief Medical Officer.
38. After Action Reports for 2005 Jamboree.
39. CDC Reports for 2005 Jamboree.
40. 2005 Jamboree Flag System.
41. BSA Health and Safety Committee Meeting Minutes.
42. BSA Health and Safety Committee Pre-reads.
43. BSA Financial Statements .
44. BSA Tax Returns.
45. BSA Insurance Policies,
46. BSA Congressional Charter.
47. BSA New Unit Application.
48. BSA Training the Chartered Organization Representative.
49. BSA Information to Chartered Organization Leader Selection Packet.
50. BSA Brochure The Chartered Organization.
51. Merit Badge Series-Hiking.
52. Merit Badge Series-First Aid.
53. Merit Badge Series-Personal Fitness.
54. Merit Badge Series-Emergency Preparedness.
55. Merit Badge Series-Camping.
56. Boy Scouts of America: Troop Committee Guidebook.

57. Boy Scouts of America: Passport to High Adventure.
58. Boy Scouts of America: Troop Program Features-Volume II.
59. Correspondence between Jeff Hunt, Rich Levenson, Joshua Christ and Howard Adelman, January 2010- April 2010.
60. Correspondence between Howard K. Crompton, Andrew L. Schmidt and Howard Adelman, May 2009.
61. Death Certificate for Michael Sclawy-Adelman.
62. Marriage Certificate for Howard Adelman and Judith Sclawy.
63. Letters of Administration, Estate of Michael Sclawy-Adelman.
64. Order Appointing Howard Adelman and Judith Sclawy Co-Personal Representatives of the Estate of Michael Sclawy-Adelman.
65. Birth certificate for Michael Sclawy-Adelman.
66. Health Insurance ID Card for Michael Sclawy-Adelman.
67. Photographs of Michael Sclawy-Adelman at various Boy Scout events and activities for the last 5 years.
68. Photographs of Michael Sclawy-Adelman's various accomplishments for the last 5 years.
69. Medical Records for Michael Sclawy-Adelman for the last 10 years.
70. Documents reflecting expenses incurred for the funeral and burial of Michael Sclawy-Adelman.
71. Certificates of achievement for Michael Sclawy-Adelman.
72. Florida Learner's Permit for Michael Sclawy-Adelman.
73. Applications to colleges and universities completed by Michael Sclawy-Adelman.
74. High School transcripts for Michael Sclawy-Adelman.
75. Standardized test scores for Michael Sclawy-Adelman.

76. Michael Sclawy-Adelman's Boy Scout uniform.
77. Michael Sclawy-Adelman's Merit Badge sash.
78. Michael Sclawy-Adelman's Merit Badges.
79. Equipment used by Michael Sclawy-Adelman on the subject hike.
80. Michael Sclawy-Adelman's Boy Scout Handbook.
81. Michael Sclawy-Adelman's Merit Badge Series books.
82. All emails, correspondence, manuals, books, written materials and documents produced in discovery by any party, person or witness.
83. All exhibits to depositions in this case.
84. Data downloaded from Howard Crompton's GPS by Ranger Garnett Tritt.
85. Plaintiff reserves the right to identify other documents and tangible items within the scope of Rule 26(a)(1)(A) of the Federal Rules of Civil Procedure as discovery and investigation continue.

Fed.R.Civ.Pro. 26(a)(1)(A)(iii):

The Plaintiffs have not at this time made a computation of damages. The amount of Plaintiffs' damages will be determined by the jury based on the evidence and testimony.

Fed.R.Civ.Pro. 26(a)(1)(A)(iv):

None known of at this time.

Dated: **September 1, 2011.**
Miami, Florida

/s/ Robert D. Peltz
ROBERT D. PELTZ (Fla. Bar No. 220418)
IRA H. LEESFIELD (Fla. Bar No. 140270)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 1, 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.

/s/ Robert D. Peltz

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