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IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR SARASOTA COUNTY, FLORIDA

JOSEPH PETITO and
NICHOLE SCHMIDT,

Plaintiffs,

vs. CASE NO. 2022 CA 001128 SC

CHRISTOPHER LAUNDRIE and
ROBERTA LAUNDRIE,

Defendants.
_____/

PLAINTIFFS' SECOND REQUEST FOR PRODUCTION TO DEFENDANT, CHRISTOPHER LAUNDRIE

Pursuant to Florida Rule of Civil Procedure 1.350, Plaintiffs, JOSEPH PETITO and NICHOLE SCHMIDT, request the Defendant, CHRISTOPHER LAUNDRIE, to produce the original, or a legible copy thereof, of the things enumerated below, at the offices of Snyder and Reilly, Trial Lawyers, 355 West Venice Avenue, Venice, Florida 34285, within thirty (30) days, as required by said Rule. Defendant will be in compliance with this Request for Production if said Defendant provides to Plaintiffs' attorney, by mail, complete and legible copies of the requested items prior to the date the production is due.

I. DEFINITIONS

(a) The term "Plaintiffs' Complaint" means the Complaint filed in this action in the Twelfth Judicial Circuit in and for Sarasota County, Florida, Case No. 2022 CA 1128 SC.

(b) The term "Plaintiffs" means Joseph Petito and Nichole Schmidt.

(c) The term "Defendants" means Christopher Laundrie and Roberta Laundrie.

(d) The term "Gabby" refers to Gabrielle Petito.

(e) The term "Brian" refers to Brian Laundrie.

(f) Terms not defined herein shall have the same meaning as those terms have in the Complaint and Answer filed in this action, Case No. 2022 CA 001128 SC.

(g) In responding to this Request, all requested documents in your "possession, custody or control" are to be produced. This includes documents in the possession, custody or

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control of your attorneys or their investigators or of any third party or parties to whom you have surrendered possession, custody or control, or who, acting on your behalf, have obtained possession, custody or control, or who, upon your request, would surrender possession, custody or control to you.

(h) The pronouns "you," "your," and "yours," refer to the party to whom this Request is addressed.

(i) "Referring" and "relating" means showing, disclosing, averring to, comprising, evidencing, constituting, or reviewing, in whole or in part.

(j) The term "writing" includes, but is not limited to, books, records, letters, telegrams, notes, memoranda, diaries, worksheets, computation tabulations, financial statements and drafts of any of the foregoing, whether originals or copies, and in whatever language and all other tangible things on which words, figures, notations or sounds are recorded in writing or by any other means, and any such material underlying, supporting, or used in the preparation thereof.

(k) The term "document" or "documents" refers to all written, electronic or electronically stored, recorded, taped, filmed or graphic matter, however produced or reproduced, of every kind and description, whether readable by human or mechanical form, whether stored in tangible, electronic, mechanical or electric form of representation of any kind, whether located on-site or off-site, and whether produced internally or received from an outside source, including, but not limited to: papers, facsimile transmission sheets, books, letters, photographs, architectural plans, prospectuses, specifications, drawings, blueprints, sketches, feasibility studies, objects, tangible things, correspondence, telegrams, memoranda, inter-office communications, intra-office communications, reports, studies, surveys, contracts, work orders, vendors' agreements, subcontractors' agreements, contractors' agreements, licenses, building permits, permits of any kind, permit applications of any kind, agreements, spreadsheets, graphs, graphic material of any kind, projections, presentations, change orders, ledgers, books of account, transcripts, analyses, proposals, estimates, legal pleadings and other legal documents, medical records, deeds, mortgages, bills of sale, security agreements, telephone messages, handwritten notes of any kind, vouchers, record of inter-bank and intra-bank transfers of funds, bank checks, certificates of deposit, deposits, cashier's checks, invoices, drafts, charge slips, receipts, freight bills, working papers or drafts, statistical records, notebooks, calendars, appointment books, diaries, agendas, time sheets, logs, bids, job or transaction files, credit reports, notations, notes, sound records of any type, minutes of directors or other meetings, phono-records, cassette or tape recordings or any other mechanical compilation from which information can be obtained and any transcriptions thereof, bulletins, circulars, press releases, notices, instructions, advertisements, work assignments, motion picture films, any films of any description, videotapes, CD (compact disc) recordings, recording tape or wires, all mechanical electronic sound recordings and transcripts thereof, kinescopes, research or other articles and treatises, including all attachments and enclosures thereto, intellectual property, computer programs, computer printouts, computer software, computer systems, computer networks, computer system services, computer access, hard/floppy discs, backup copies and deleted computer files, including metadata.

(l) The term "all" includes the word "any" and vice versa.

(m) The term "and" includes the word "or" and vice versa.

(n) The term "communication," means any transmission or exchange of information between two or more persons or entities, orally or in writing, and includes without limitation any conversation or discussion whether face to face or by means of any telephone, telegraph, facsimile, electronic or other media, including metadata.

(o) The term "active file," when used in this document, means any electronic data file that can be utilized by an electronic data processing system in any manner without modification and/or re-construction. An active file is any electronic data file that has not been erased or otherwise destroyed and/or damaged and which is readily visible to the operating system and/or the software with which it was created.

(p) The term "archive," when used in this document, is intended to refer to all processes for copying and storage, whether temporary or permanent, of electronic data in a computer system, other than active files in on-line storage. "Archive" or "archiving" refers to any system for maintaining electronic data off-line, whether referred to as an archive, dump, purge or by other terms, and also to any system for storage of electronic media which is not in current use on the system.

(q) The term "computer," when used in this document, shall include, but is not limited to, microcomputers (also known as personal computers), laptop computers, portable computers, notebook computers, palmtop computers, personal digital assistants, minicomputers and mainframe computers.

(r) The term "computer program," means an ordered set of data representing coded instructions or statements that when executed by a computer causes the computer to process data.

(s) The term "computer software," means a set of computer programs, procedures, and associated documentation concerned with the operation of a computer system.

(t) The term "computer system," means a set of related, connected or unconnected, computer equipment, devices, or computer software.

(u) The term "computer network," means a set of related, remotely connected devices and communication facilities including more than one computer system with capability to transmit data among them through communication facilities.

(v) The term "computer system services," means providing a computer system or computer network to preform useful work.

(w) The term "data," when used in this document, is equivalent to the term "electronic data" as defined herein.

(x) The term "deleted file," when used in this document, means any electronic data file that has been erased or deleted from the electronic media on which it resided. A deleted file includes any file whose File Allocation Table (FAT) entry has been modified to indicate the file as being deleted and/or which is not readily visible to the operating system and/or the software with which it was created.

(y) The term "electronic data," when used in this document, means all information of all kinds maintained by electronic data processing systems including all non-identical copies of such information. Electronic data includes, but is not limited to, computer programs (whether private, commercial or work in progress), programming notes or instructions, and input and/or output used or produced by any software program or utility (including electronic mail messages and all information referencing or relating to such message anywhere on the computer system, word processing documents and all information stored in connection with such documents, electronic spreadsheets, databases including all records and fields and structural information, charts, graphs and outlines, arrays of information and all other information used or produced by any software), operating systems, source codes of all types, programming languages, linkers and compilers, peripheral drivers, PIF files, batch files, any and all ASCII files, and any and all miscellaneous files and/or file fragments, regardless of the media on which they reside and regardless of whether said electronic data consists in an active file, deleted file or file fragment. Electronic data includes any and all information stored on computer memories, hard discs, floppy discs, CD's, DVD's, internal or external hard drives, ZIP Drives, Bernoulli Box drives, and their equivalent, magnetic tape of all types, microfiche, punched cards, punched tape, computer chips, including, but not limited to, EPROM, PROM, RAM and ROM, or on or in any other vehicle for digital data storage and/or transmittal. The term electronic data also includes the file, folder tabs and/or containers and labels appended to, or associated with, any physical storage device associated with the information described above.

(z) The term "electronically-stored information," is any information created, stored or best utilized with computer technology of any type. It includes, but is not limited to, data, word processing documents, spreadsheets, presentation documents, graphics, animations, images, email and instant messages (including attachments), audio, video and audiovisual recordings, voicemail stored on databases, networks, computers and computer systems, servers, archives, backup or disaster recovery systems, discs, CD's, diskettes, drivers, tapes, cartridges and other storage media, printers, the Internet, personal digital assistants, handheld wireless devices, cellular telephones, pagers, fax machines and voice mail systems.

(aa) The term "accessible information," is electronically stored information that is easily retrievable in the ordinary course of business without undue cost and burden.

(bb) The term "metadata," means information embedded in a native file that is not by the operation of a computer or other information technology system when a native file is created, modified, transmitted, deleted or otherwise manipulated by a user of such system. Metadata are a subset of electronically stored information.

(cc) The term "native file(s)," means electronically stored information in the electronic format of the application in which such electronically stored information is normally created, viewed and/or modified. Native files are a subset of electronically stored information.

(dd) The term "static image(s)," means a representation of electronically stored information produced by converting native files into a standard image format capable of being viewed and printed on standard computer systems. In the absence of agreement of the parties or order of Court, a static image should be provided in either Tagged Image File Format (TIFF, or TIF files) or Portable Document Format (PDF). If load files were created in the process of converting native files to static images, or if load files may be created without undue burden or cost, load files should be produced together with static images.

(ee) The term "intellectual property," means data, including programs.

(ff) All other words are given their plain, ordinary meaning, unless indicated otherwise in this Request.

II. INSTRUCTIONS

1. Any document as to which a claim of privilege is or will be asserted should be identified by author, signatory, description (e.g. letter, memorandum, telex, recording, etc.), title (if any), date, address (if any), general subject matter, present depository and present custodian and a complete statement of the ground for the claim of privilege to be set forth.

2. If any of the documents requested herein have been lost or destroyed since their creation, identify each of the missing documents, state when, where and how and by whom the documents were lost or destroyed, the name of the person who authorized or directed such destruction, and identify by name and address, the person who last had custody of the missing documents.

3. If any of the documents cannot be produced in full, produce to the extent possible, specifying the reasons for the inability to produce the remainder.

4. Unless stated otherwise, the time period for this Request shall be from the time which is material through the period covered by the pleadings and the date of production.

5. This Request is a continuing one. If after producing documents, you become aware of any further documents responsive to this Request you are required to produce such additional documents.

6. Documents to be produced include the originals of all documents, plus all drafts of any requested documents and all copies of any requested document, by whatever means made, which bear any marking or other notation or differ in any way from the original. Documents maintained on different storage media shall be regarded as documents which differ from the original.

7. To the extent any of the documents are in electronic or computer form, please produce such electronic or computer form of the documents on floppy disk or CD-ROM, as well as in hard copy, and state the filename and path under which such data is stored.

III. REQUEST FOR PRODUCTION

1. Please produce a copy of a letter written by Roberta Laundrie to Brian Laundrie, which letter states, in part, that Roberta Laundrie would bring a shovel to help bury a body, and which letter was contained in an envelope which on said envelope stated, "Burn after reading." The original of said letter was delivered to Attorney Steven Bertolino by the FBI on June 24, 2022.

/s/ PATRICK J. REILLY, ESQUIRE
PATRICK J. REILLY, ESQUIRE
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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been electronically filed on this 14th day of February, 2023, with the Clerk of Court via the E-Filing Portal System which will simultaneously email the same to the addresses set forth below by utilizing the Designation of Email Addresses registered with the E-Filing Portal System.

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/s/ PATRICK J. REILLY, ESQUIRE
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