

IN THE CIRCUIT COURT FOR THE
FIRST JUDICIAL CIRCUIT, IN AND FOR
SANTA ROSA COUNTY, FLORIDA

WASTE PRO OF FLORIDA, INC.,
a Florida corporation,

Plaintiff,

Case No.: 2021-CA-000762

v.

ADAMS SANITATION HOLDING
COMPANY, LLC,

Defendant.

_____/

**PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF
DOCUMENTS TO DEFENDANT**

Plaintiff, WASTE PRO OF FLORIDA, INC., by counsel and pursuant to Rule 1.350 of the *Florida Rules of Civil Procedure* requests that Defendant, ADAMS SANITATION HOLDING COMPANY, LLC, produce the documents listed below within thirty (30) days of service of this request:

DEFINITIONS

1. "You" or "your" or "Adams" shall refer to Defendant, ADAMS SANITATION HOLDING COMPANY, LLC, its agents, employees, servants, representatives, officers, directors, affiliates, advisors, attorneys, predecessors, and successors-in-interest and all other persons action or purporting to act on its behalf.

2. "Waste Pro Florida" shall refer to Plaintiff, WASTE PRO OF FLORIDA, INC.

3. "Action" shall refer to the instant action, styled *Waste Pro of Florida, Inc. v. Adams Sanitation Holding Company, LLC*, Case No. 2021-CA-000762, pending in the Circuit Court of the First Judicial Circuit in and for Santa Rosa County, Florida.

4. “South End” shall refer to the areas in Santa Rosa County, Florida, that are south and west of Elgin Air Force Base, which is the subject of the Action.

5. “County” shall mean Santa Rosa County, Florida.

6. “Driver” shall mean all individuals who operate refuse collection vehicles (front-end, side, rear-end, or roll-off loading trucks).

7. “Jumper” shall mean all individuals who ride with and assist Drivers with the collection of refuse.

8. “Franchise Agreement” shall mean the County’s Amended Residential Solid Waste and Recycling Franchise Agreement Area “All Unincorporated Areas of SRC” dated July 9, 2020, which is also attached as Exhibit “A” to the Verified Complaint for Injunctive Relief and Damages in this Action.

9. “Solid waste” shall mean garbage, recycling and yard waste.

10. “Time Period” shall mean the period from January 1, 2021 to present.

DOCUMENTS REQUESTED

1. All mailers, website postings, social media postings, marketing materials, or other documents relating to or establishing solicitation of solid waste services to customers in the South End of the County.

2. All emails, text messages and other internal communications of Adams regarding solicitation of residents for solid waste service in the County during the Time Period.

3. All prospectus, executive summaries, meeting minutes, notes and memoranda, or other documents regarding any services Adams provides.

4. Emails, contracts, or other documents showing the contact information for all of Adams’ customers in the South End of the County.

5. Emails, contracts, or other documents showing the contact information for residents who have signed up for Adams' service in the South End of the County.

6. All mailers, faxes, emails, telephone messages, social media posts, logs or other documents related to complaints from Adams' customers regarding Adams' services in the County during the Time Period.

7. All mailers, faxes, emails, telephone messages, social media posts, logs or other documents related to complaints from Adams' customers regarding Adams' services in Okaloosa County, Florida during the Time Period.

8. All emails, text messages, written memorialization of oral conversations or other documents relating to any communication between Adams and any representative of the County, including County Commissioners and staff, regarding performance of solid waste services in the South End.

9. All public records requests submitted by you, or on your behalf, to the County related to the South End of the County.

10. Bank statements, ACH confirmations, credit card authorizations, copies of checks, records of deposits, or other documents establishing amounts paid to Adams for future solid waste services in the South End.

11. All executed contracts and drafts of proposed contracts between Adams and Santa Rosa residents for service in the South End of the County.

12. All purchase orders, invoices, payment confirmations, inventories or other documents establishing solid waste carts that have been ordered and/or purchased by Adams for use in the South End.

13. All executed contracts and drafts of proposed contracts between Adams and third-party vendors for solid waste services in the South End of the County.

14. All mailers, faxes, emails, telephone messages, logs, contracts, invoices, text messages, meeting minutes, or other documents in your possession, custody and control that relate or pertain to Waste Pro Florida since January of 2020.

15. Organizational charts, organizational directories, and/or other documents depicting, in whole or in part, the organization and/or structure of Adams.

16. Articles of Incorporations, bylaws, meeting minutes, executive summaries, or other documents regarding any subsidiaries owned by Adams, including by not limited to organizational charts, organizational directories, and/or other documents depicting, in whole or in part, the organization and/or structure of the subsidiary of Adams.

17. All emails, text messages, written memorialization of oral conversations or other documents relating to any communication between Adams and any of its affiliates regarding Waste Pro Florida since January 2020.

18. All emails, text messages, written memorialization of oral conversations or other documents relating to any communication between Adams and any third-party regarding Waste Pro Florida since January 2020.

19. All emails, text messages, written memorialization of oral conversations or other documents relating to any communication between Adams and any third-party regarding solicitation of customers for solid waste service in the South End of the County.

20. Employee handbooks, policies, procedures, memoranda or other documents that refer or relate to Adams' document retention, destruction or computer record keeping policies.

21. Employee handbooks, policies, procedures, memoranda or other documents regarding the criteria used by Adams for hiring Drivers and Jumpers.

22. Employee handbooks, policies, procedures, memoranda or other documents that identify and describe the job duties of Drivers who are employed by Adams.

23. All federal or state Department of Transportation training materials used by Adams in training Drivers and/or Jumpers.

24. All forms, memoranda, policies, procedures, memoranda, handbooks, or other documents and materials used by Adams to train Drivers and Jumpers who are employed by Adams.

25. All federal or state Department of Transportation drivers' logs in your possession, custody and control regarding hauling solid waste in the County during the Time Period.

26. All federal or state Department of Transportation documents related to Adams, including but not limited Adams' Department of Transportation number.

27. All titles, emails, forms, bill of sales, purchase orders, contracts, inventories, or other documents that concern, discuss, or relate to your ownership and/or operation of any and all vehicles driven by your employees since January 2020.

28. All video or audio recordings made by Adams regarding solid waste service in the South End since January 2020.

29. All interviews (media, podcasts, social media, written, audio and video) in which Adams has been involved regarding solid waste services in the South End since January 2020.

30. All job postings (via social media, website, mail) by Adams for job opportunities in the County since January 2020.

31. All policies, procedures, memoranda, statements, social media posts, emails, text messages, written memorialization of oral conversations, or other documents describing the work performed by Drivers and Jumpers employed by you for your customers.

32. All proposals and bids submitted by you for any municipalities since 2018.

33. Adams' executed contracts, proposed contracts and drafts of contracts for solid waste services in Okaloosa County, Florida since January 2018.

34. All emails, text messages, written memorialization of oral conversations, internal communications, meeting minutes, or other documents that concern, discuss, or relate to your contention that Franchise Agreement is not valid.

35. All emails, text messages, written memorialization of oral conversations, internal communications, meeting minutes, or other documents that establish that Adams does not need a permit issued by the County to pick up solid waste in the South End.

36. All insurance policies that may be looked to, to satisfy a judgment or settlement against you in this Action.

37. All insurance policies utilized by you in the operation of your business, including but not limited to any and all commercial general liability policies, umbrella and excess policies.

38. Any statement, form, affidavit, declaration, email, text message, or other document that you have from any person having knowledge of facts that may be relevant to this Action, unless you claim that such document is in some manner privileged or exempt from discovery.

39. All emails, text messages, written memorialization of oral conversations, internal communications, meeting minutes, or other documents that concern, discuss, or relate to the creation of routes and the estimated time to complete routes driven by your Drivers in the County during the Time Period.

40. All emails, text messages, written memorialization of oral conversations, internal communications, meeting minutes, invoices, payments, or other documents that concern, discuss, relate to, or establish the ownership of every domain name with an internet presence which is owned and/or controlled by Adams, or its subsidiaries, including but not limited to official company websites, websites listing jobs available with Adams, and any websites that relate to Adams.

41. All emails, memoranda, internal communications, meeting minutes, written memorialization of oral conversations, or other documents that concern, discuss, or relate to the individual(s) who is responsible for maintaining any domain name with an internet presence which is owned and/or controlled by Adams, or its affiliates.

42. All emails, memoranda, internal communications, meeting minutes, written memorialization of oral conversations, or other documents evidencing or identifying the individual(s) who controls the financial decisions, including but not limited to, the manner and method of raising capital, corporate investment, marketing, or corporate investments, or the manner and method of approving capital expenditures since January 2018.

43. Consolidated financial reports of Adams regarding solid waste service in the County during the Time Period.

44. All deeds, certificates of title, receipts and/or other similar documentation evidencing any ownership interest in real property or any motor vehicle owned by Adams.

45. Contracts, leases, rental agreements, and/or other similar documents (formal or informal) evidencing Adams' lease or rental of any real property or waste disposal vehicles.

46. Documents upon which you intend to rely in defending this Action or introduce into evidence in this Action.

47. All operating agreements, bylaws, resolutions, articles of incorporation, emails, memoranda, or other documents reflecting, evidencing, or relating to Adams' organization, formation, and structure.

48. All emails, internal communications, text messages, memoranda, written memorialization of oral conversations, or other documents reflecting, evidencing, or relating to content change detection and notification services and website push notifications, including but not limited to Google Alerts, that Adams receives about Waste Pro Florida, or its affiliates since January 2020.

49. All emails, text messages, voice mails, memoranda, internal communications, meeting minutes, written memorialization of oral conversations, or other documents relating to the Franchise Agreement since July 2020.

50. All emails, text messages, voice mails, memoranda, internal communications, meeting minutes, written memorialization of oral conversations between you and any third-party regarding the Franchise Agreement since July 2020.

51. All emails, text messages, voice mails, memoranda, internal communications, meeting minutes, written memorialization of oral conversations, calendar entries, or other documents related to your meetings with County officials or staff regarding Adams' servicing the South end, including but not limited to any offers or potential resolutions presented by Adams during the Time Period.

52. All lists, spreadsheets, internal communications or other documents listing all email address of Adams' employees.

53. All tracking, reporting, analytics or other documents that would establish the website traffic to www.adamssanitation.com during the Time Period.

54. All tracking, reporting, analytics or other documents that would establish the website traffic to the Facebook page @adamssanitation during the Time Period.

55. All tracking, reporting, analytics or other documents that would establish the website traffic to the Instagram page @adamssanitation during the Time Period.

56. All tracking, reporting, analytics or other documents that would establish the website traffic to the Twitter page @AdamsSanitation during the Time Period.

DATED this 15th day of September, 2021.

STOVASH, CASE & TINGLEY, P.A.

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing to be served in the method indicated below to the following this 15th day of September, 2021.

- HAND DELIVERY
- U.S. MAIL
- FAX TRANSMISSION
- EMAIL TRANSMISSION
- ECF NOTICE

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