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**STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS**

Case No.: 20-4958
2020-24645

MATALYN JOHNSON,
Petitioner,

vs.

UCEDA SCHOOL OF ORLANDO, INC.,
Respondent.

**PETITIONER'S FIRST REQUEST FOR PRODUCTION
TO RESPONDENT, UCEDA SCHOOL OF ORLANDO, INC**

Petitioner, Matalyn Johnson, requests that Respondent, Uceda School of Orlando, Inc. (hereinafter "Uceda"), in accordance with Rule 28-106.206 of the Florida Administrative Code, produce the documents and tangible things described in the list attached hereto as Exhibit "A" and made a part hereof for all purposes, at the offices of The Washington Trial Group, PLLC, 37 N. Orange Ave., Suite 500, Orlando, FL 32801, within thirty (30) days, for the purpose of inspection, copying, testing, or sampling.

DEFINITIONS

1. As used herein, the terms "you" and "your" shall refer to Uceda and Uceda's attorneys, agents, representatives, predecessors and successors in interest, officers, directors, partners, assignees, transferees, employees, servants, parent and subsidiary companies, affiliated companies, partnerships and all other natural persons or business or legal entities acting or purporting to act for or on behalf of Uceda, whether authorized to do so or not.

2. As used herein, the term "documents" includes all materials within the scope of Rule 28-106.206 of the Florida Administrative Code and shall mean all writings of every kind, source and authorship, both originals and all non-identical copies thereof, in your actual or

constructive possession, custody, care, or control, or known by you to exist, irrespective of whether the writing is one intended for or transmitted internally by you, or intended for or transmitted to any other person or entity, including without limitation any government agency, department, administrative, or private entity or person. The term shall include bank statements, handwritten, typewritten, printed, photocopied, photographic, e-mail or recorded matter. It shall include communications in words, symbols, pictures, sound recordings, films, tapes, and information stored in, or accessible through, computer or other information storage or retrieval systems, together with the codes and/or programming instructions and other materials necessary to understand and use such systems. For purposes of illustration and not limitation, the term shall include: affidavits; agendas; agreements; analyses; announcements; bank statements, bills, statements, and other records of obligations and expenditures; books; brochures; bulletins; calendars; canceled checks, vouchers, receipts and other records of payments; charts or drawings; check registers; checkbooks; circulars; collateral files and contents; contracts; corporate bylaws; corporate charters; correspondence; credit files and contents; deeds of trust; deposit slips; diaries; drafts; e-mails; files; financial statements; guaranty agreements; instructions; invoices; ledgers, journals, balance sheets, profit and loss statements, and other sources of financial data; letters; logs, notes, or memoranda of telephonic or face-to-face conversations; manuals; memoranda of all kinds, to and from any persons, agencies, or entities; minutes; minute books; notes; notices; parts lists; papers; press releases; printed matter (including books, articles, speeches, and newspaper clippings); purchase orders; records; records of administrative, technical, and financial actions taken or recommended; reports; safety deposit boxes and contents and records of entry; schedules; security agreements; specifications; statements of bank accounts; statements; interviews; stock transfer ledgers; technical and engineering reports, evaluations, advice, recommendations, commentaries, conclusions, studies, test plans, manuals, procedures, data, reports, results, and conclusions; summaries, notes, and other records and recordings of any conferences, meetings, visits, statements, interviews or telephone conversations; telegrams; teletypes and other communications sent or received; transcripts of testimony; U.C.C. instruments; work papers; and all other writings, the contents of which relate to, discuss, consider, or otherwise refer to the subject matter of the particular document requested or referred to. A document is deemed to be in your

actual or constructive possession, custody, care, or control if you either have physical possession of the item or have the right, authority or ability to obtain the document.

3. "Date" means the exact date, month, and year, if ascertainable, or, if not, the best approximation of the date based on surrounding events.

4. "Person": The term "person" shall include individuals, associations, partnerships, corporations, and any other type of entity or institution whether formed for business purposes or any other purposes.

5. "Identify" or "Identification":

(a) When used in reference to a person, "identify" or "identification" means to state his or her full name, present or last known residence address, present or last known business address and telephone number.

(b) When used in reference to a public or private corporation, governmental entity, partnership or association, "identify" or "identification" means to state its full name, present or last known business address or operating address, the name of its Chief Executive Officer and telephone number.

(c) When used in reference to a document, "identify" or "identification" shall include statement of the following:

(I) the title, heading, or caption, if any, of such document;

(ii) the identifying number(s), letter(s), or combination thereof, if any; and the significance or meaning of such number(s), letter(s), or combination thereof, if necessary to an understanding of the document and evaluation of any claim of

protection from discovery;

(iii) the date appearing on such document; if no date appears thereon, the answer shall so state and shall give the date or approximate date on which such document was prepared;

(iv) the number of pages and the general nature or description of such document (i.e., whether it is a letter, memorandum, minutes of a meeting, etc.), with sufficient particularity so as to enable such document to be precisely identified;

(v) the name and capacity of the person who signed such document; if it was not signed, the answer shall so state and shall give the name of the person or persons who prepared it;

(vi) the name and capacity of the person to whom such document was addressed and the name and capacity of such person, other than such addressee, to whom such document, or a copy thereof, was sent; and

(vii) the physical location of the document and the name of its custodian or custodians.

(d) When used in reference to a communication, "identify" or "identification" means to state the date and place of the communication, the persons who participated in it, all documents relating to it, whether the communication was oral, and if oral, the substance of the communication.

6. "Communication" means any contact, oral or written, formal or informal, by which information of any nature was transmitted, transferred, or exchanged, and includes any oral or written statement, dialogue, discussion, conversation, and any transfer of data by electronic or similar means.

7. "Reflect" and "reflecting" shall be construed as relating to, referring to, responding to, pertaining to, connected with, regarding, discussing, showing, exhibiting, describing, concerning, analyzing, and constituting.

8. "Related to" includes within its meaning reflect, mention, pertain to, arise out of or in connection with, directly or indirectly refer to, and describe.

9. Capitalized terms not identified herein shall have the meanings ascribed to them in the Complaint.

EXHIBIT A

DOCUMENTS AND ITEMS TO BE PRODUCED:

1. All documents that show why Ms. Matalyn Johnson was selected for an interview.
2. All documents that relate to this proceeding and lawsuit.
3. All documents showing why Ms. Matalyn Johnson was not hired after being interviewed.
4. All documents showing the qualifications for all other employees working for Uceda who are in the same teaching position that Ms. Matalyn Johnson interviewed for.
5. All documents related to your policies and procedures for hiring new personnel.
6. All letters of reprimand issued to Ricardo Sanchez, Academic Coordinator at Uceda.
7. All documents related to the organizational structure of Uceda.
8. A true and correct copy of all insurance disclosures and insurance policies for Uceda.
9. All documents related to Ms. Matalyn Johnson's employment with Uceda.
10. All documents authored by Ricardo Sanchez, Academic Coordinator at Uceda, related to Ms. Matalyn Johnson.
11. All documents related to complaints about Ricardo Sanchez, Academic Coordinator at Uceda from the beginning of his employment with you until the present.
12. All documents related to the job description of the position Ms. Matalyn Johnson applied for.
13. All documents related to Uceda's discrimination policies and procedures.
14. All documents related to the Uceda's ADA compliance.
15. All documents prepared by Uceda about Ms. Matalyn Johnson.
16. All documents that indicate the race and gender of your teachers.

Respectfully submitted,

THE WASHINGTON TRIAL GROUP, PLLC

/s/ Ka’Juel Washington

By: _____

KA’JUEL J. WASHINGTON, ESQ.

Florida Bar No. 22125

37 N. Orange Ave., Suite 500

Orlando, Florida 32801

Tel. (407) 734-0402

Fax: (407) 236-0430

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the following via electronic mail on the 25th day of November 2020.

Chris Kleppin, Esq.

Email: ckleppin@gkemploymentlaw.com

Attorney for Respondent

/s/ Ka’Juel J. Washington

By: _____

KA’JUEL J. WASHINGTON

Florida Bar No. 22125

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