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October 27, 2008

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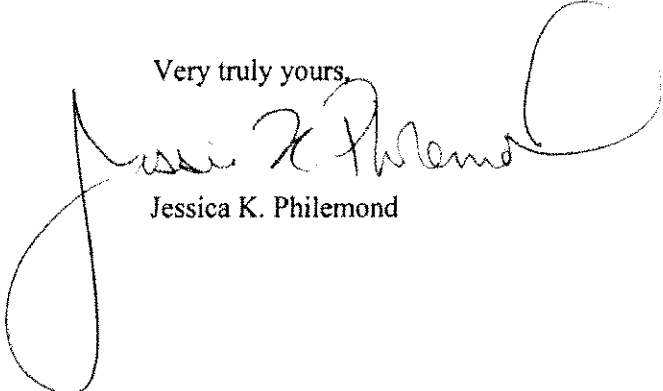
Re: *Doe, et al. v. Mount Vernon City School District Board of Education, et al.*
U.S. District Court, Southern District of Ohio, Eastern Division
Case No. 2:08-cv-575

Dear Counsel:

Please find enclosed Plaintiffs' First Set of Interrogatories and First Set of Request for Production of Documents to Defendant John Freshwater in the above-referenced case. A copy of the discovery has been sent to you via e-mail as well.

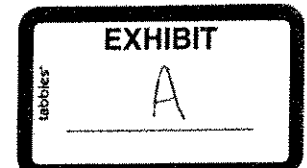
Thank you for your attention to this matter. As always, please do not hesitate to call or write with any questions or concerns.

Very truly yours,


Jessica K. Philemond

JKP/msm
Enclosures

cc: Elise C. Keating, Esq.
Krista Keim, Esq.
Sarah J. Moore, Esq.
David Kane Smith, Esq.



From: Miranda Mead
To: dsmith@ohioedlaw.com; ekeating@ohioedlaw.com; kkeim@ohioedlaw.com; sm...
Date: 10/28/2008 9:32 AM
Subject: Doe, et al. v. Mount Vernon, et al.
Attachments: Doe v. Mt. Vernon - ROGs to Mount Vernon; Doe v. Mt. Vernon - PODs to School District

Dear Counsel:

Please find attached Plaintiffs' First Set of Interrogatories and Request for Production of Documents to Defendant Mount Vernon City School District Board of Education in the above-referenced matter.

Thank you for your attention to this matter. If you have any questions or problems opening the attachments, please do not hesitate to contact me.

Miranda S. Mead
Secretary to Paul A. Mackenzie, Esq.,
Jessica K. Philemond, Esq. and
Christine L. Broschak, Paralegal
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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN DOE and JANE DOE,	:	
individually and as the Natural Parents	:	
and Next Friends of Their Minor Child,	:	CASE NO. 08-CV-575
JAMES DOE,	:	
	:	JUDGE FROST
Plaintiffs,	:	MAGISTRATE JUDGE KING
v.	:	
MOUNT VERNON CITY SCHOOL	:	
DISTRICT BOARD OF	:	
EDUCATION, ET AL.	:	
	:	
Defendants.	:	

**PLAINTIFFS' FIRST SET OF INTERROGATORIES TO DEFENDANT JOHN
FRESHWATER**

Plaintiffs submit the following interrogatories to Defendant John Freshwater to be answered in writing and under oath within 30 days in accordance with and in the form prescribed by Rule 33. (Please note: The space provided for your answer following each of the questions below is furnished in compliance with Civil Rule 33, as amended, and is not intended to limit your response in any way or to suggest the length of answer that is desired. Full and complete answers are requested. If you require additional space to complete any answer, use the Continuation Sheet attached at the end of these interrogatories and indicate on the Sheet the number of the interrogatory you are answering. These interrogatories are continuing and require supplementation, pursuant to Civil Rule 26.)

1. State your full name, your present residence and business address, your date and place of birth, and social security number.

ANSWER:

2. State the full name, last known address, telephone number, and occupation of each person whom you intend to call as a witness, both lay and expert, at the trial of this lawsuit, and state the general nature and subject matter of each such person's testimony. For each expert witness identified, describe his or her qualifications, opinions, conclusions and basis therefore. (This is a continuing interrogatory requiring supplementation of response under Civil Rule 26.)

ANSWER:

3. State the full name, last known address, and telephone number of each person whom has any knowledge or information regarding any of Plaintiffs' claims as alleged in the First Amended Complaint or any of the allegations set forth in your Counterclaim.

ANSWER:

4. Identify each and every statement which you claim Plaintiffs made to defame you, as alleged in your Counterclaim.

ANSWER:

5. For each statement identified above, indicate where the statement was published or to whom it was spoken.

ANSWER:

6. Identify and describe each and every document or thing you took out of your classroom at the Mount Vernon Middle School after April 1, 2008, indicating the date upon which each item was removed.

ANSWER:

7. Identify each and every handout you have provided to your eighth grade science class over the past five years which was provided to the students in class but you required that the students return to you and not take home.

ANSWER:

8. Describe the make and model identification of the device which you applied to Zach Dennis on December 6, 2007.

ANSWER:

9. With regard to the device you identified in the above interrogatory, provide the names of each and every student for which you have applied a "Tesla coil" type advice to their person in all of your years at Mount Vernon Middle School.

ANSWER:

10. State whether you have ever been a plaintiff or defendant in any civil action, other than this one. If so, please identify the case name, case number, county and state in which it was filed, and the substantive claims for relief.

ANSWER:

11. If you have obtained a written, oral, or tape-recorded statement from any Plaintiff, defendant, or witness regarding the facts at issue in this case, please state the full name, business and residence address, and telephone number of the persons taking the statement and whose statement was taken, along with the date, time, and location of same; its form (affidavit, tape, etc.); and the full name, business and residence address, and telephone number of every person who currently has possession, custody, or control of each such statement.

ANSWER:

12. Identify every individual with whom you have spoken regarding the facts and allegations set forth in Plaintiffs' First Amended Complaint and regarding your Counterclaim.

ANSWER:

13. Provide the identity and address of all of your current employers.

ANSWER:

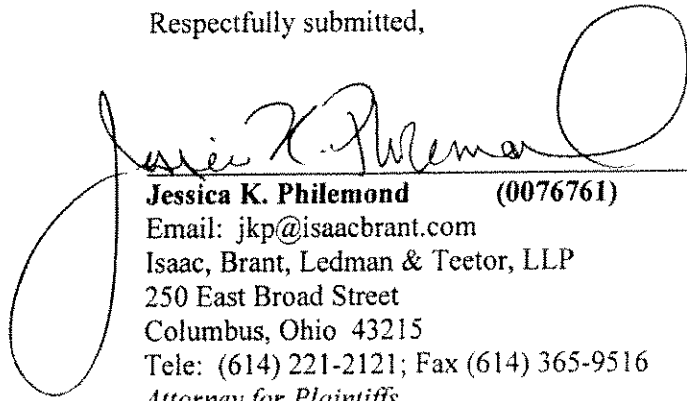
14. Identify each and every reason for which you believe that your actions which have now been challenged by the Mount Vernon City School District in termination proceedings were ratified or approved by the administration.

ANSWER:

15. State the purpose for which you directed _____ to go to www.answersingenesis.com as a part of your eighth grade science lecture.

ANSWER:

Respectfully submitted,



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Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on October 27, 2008 a copy of the foregoing was served to the following counsel via electronic mail and ordinary U.S. mail.

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*Counsel for Defendant Mount Vernon
City School District Board of Education*



Jessica K. Philemond (0076761)

CONTINUATION SHEET

VERIFICATION

I swear that the answers to the foregoing interrogatories are true to the best of my belief and knowledge.

John Freshwater

Sworn to before me and subscribed in my presence this ____ day of _____,
2008.

Notary Public

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN DOE and JANE DOE,	:
individually and as the Natural Parents	:
and Next Friends of Their Minor Child,	: CASE NO. 08-CV-575
JAMES DOE,	:
	: JUDGE FROST
 Plaintiffs,	: MAGISTRATE JUDGE KING
 v.	:
 MOUNT VERNON CITY SCHOOL	:
DISTRICT BOARD OF	:
EDUCATION, ET AL.	:
	:
 Defendants.	:

**PLAINTIFFS' FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS TO
DEFENDANT JOHN FRESHWATER**

Plaintiffs hereby request, pursuant to Rule 34 of the Ohio Rules of Civil Procedure, that Defendant John Freshwater produce and permit Plaintiffs to inspect and to copy each of the following documents.

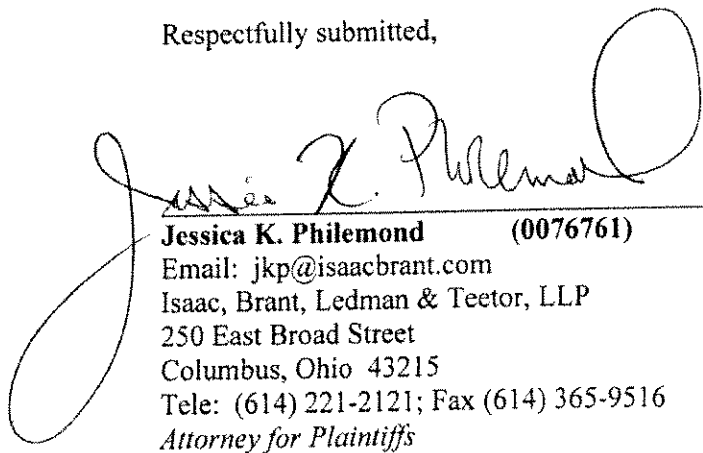
For purposes of this request, the term "documents" shall be defined in its broadest sense to include any and all written and tape-recorded materials, videotapes, photographs, and other tangible objects in the possession, custody, or control of Defendant, including, but not limited to, all originals and non-identical copies of drafts, correspondence, memoranda, records, summaries of personal conversations or interviews, minutes or records of meetings or conferences, opinions

of consultants, projections, statistical statements, contracts, books, accident reports, e-mail, and notes.

1. All statements, whether in writing or tape-recorded, taken of any employee or agent of Plaintiffs.
2. All statements, whether in writing or tape-recorded, taken of any witness.
3. Copies of your federal and state income tax returns filed for years 2001-2005, inclusive, plus any wage information detailing any income received for 2006.
4. All documents and any other item that you expect or intend to produce or offer as either an exhibit or as evidence at trial.
5. The recording you made of your statement provided to HR On Call pursuant to the investigation conducted by the Mount Vernon City School District.
6. All recordings, statements, e-mail, publications, or any other document or recording which you claim is evidence of the defamation claims you have brought against Plaintiffs.
7. Every document, thing, or e-mail you removed from your eighth grade science classroom from April 1, 2008 to the present.
8. All notes kept by you regarding the teachings you provided to your eighth grade science classes for the past ten years, whether those notes were kept on paper, e-mail, or other source.
9. If you have destroyed any notes with regard to the above interrogatory, a description of what was destroyed.

10. Every handout that you provided to students in your eighth grade science class for the past ten years which was not created by the authors of the approved textbook.
11. Copies of all religious materials you had posted in your eighth grade science classroom at Mount Vernon Middle School at any time over the past ten years.
12. All instructions, directions, or warnings regarding the use of the Tesla coil type device which you used in your eighth grade science classroom.
13. All instructions, directions or warnings regarding the curriculum you used to teach your eighth grade science classes using the Tesla coil.
14. One of the Bibles which you kept in a box in your classroom.

Respectfully submitted,



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Tele: (614) 221-2121; Fax (614) 365-9516
Attorney for Plaintiffs

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