

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
ALACHUA COUNTY, FLORIDA

GAINESVILLE CITIZENS
CARE, INC.,

Plaintiff,

Case No.: 01 2012 CA 001346

v.

Division: J

CITY OF GAINESVILLE
d/b/a
GAINESVILLE REGIONAL UTILITIES,

Defendant

and

GAINESVILLE RENEWABLE ENERGY
CENTER, LLC,

Intervenor.

GAINESVILLE RENEWABLE ENERGY CENTER, LLC'S
FIRST SET OF INTERROGATORIES TO
GAINESVILLE CITIZENS CARE, INC.

Intervenor, Gainesville Renewable Energy Center, LLC ("GREC LLC"),
propounds the following interrogatories to Plaintiff, Gainesville Citizens CARE,
Inc. ("GCC").

Instructions

Pursuant to Rules 1.280 and 1.340, Florida Rules of Civil Procedure, GREC
LLC requests that GCC answer each of the following interrogatories fully, under

oath, in accordance with the definitions and instructions set forth below. The answers must be signed by the person making them and a copy of the answers, together with any objections, must be served within thirty (30) days after the service of these interrogatories.

When answering these interrogatories, please furnish all information which is available to GCC, including information in the possession, custody or control of GCC's officers, directors, agents, attorneys, accountants, advisors, employees, consultants or any other persons acting on behalf of GCC.

If GCC claims any privilege with respect to the existence or the substance of any document or oral communication, please describe the privilege, the basis for the claim of privilege, and identify any person associated with the privileged document or oral communication.

If GCC objects to any interrogatory on the ground that it requests information that is privileged or falls within the work-product doctrine, please provide the following information:

- (a) The nature of the privilege or doctrine GCC claims;
- (b) If a document:
 - 1. Identify it;
 - 2. Identify all persons known to GCC to have seen the document;
- (c) If an oral communication:

1. Identify it;
2. Identify all persons known to GCC to whom the substance of the oral communication has been disclosed.

Definitions

The following definitions shall be used for these interrogatories.

- A. "City" shall mean the City of Gainesville d/b/a Gainesville Regional Utilities.
- B. "Document" shall mean all written or printed papers or other materials that contain or convey information, including, without limitation, all e-mails (including attachments which shall be kept with the e-mail), letters, reports, memoranda, laboratory data, records of telephone or other conversations, intraoffice and interoffice communications, correspondence, handwritten or typewritten notes, diaries, records of every kind, sound recordings, transcripts, contracts, agreements, books, financial statements, books of account, journals, ledgers, invoices, indices, data processing cards, other data processing materials, data sheets, computer modeling input and output files, tapes, photographs, photostats, aerial maps, bulletins, circulars, notices, messages, tabulations, economic or statistical studies, instructions, requests, calendars, desk pads, appointment books, scrapbooks, notebooks, specifications, drawings, diagrams,

sketches, and writings of every kind or character, including preliminary drafts and other copies of the foregoing, however produced or reproduced.

C. “First Amended Complaint” shall mean the First Amended Complaint for Declaratory Judgment and Injunctive Relief filed by GCC on April 18, 2012.

D. “Gainesville Renewable Energy Center” shall mean the 100-megawatt biomass-fired electrical power plant that is currently being constructed by GREC LLC in Gainesville, Florida.

E. “GCC” shall mean Gainesville Citizens CARE, Inc., including GCC’s past or present officers, directors, agents, attorneys, accountants, advisors, employees, consultants, or any other Person acting on behalf of GCC.

F. “GREC LLC” shall mean Gainesville Renewable Energy Center, LLC.

G. “Person(s)” shall mean any natural person, individual, proprietorship, partnership, corporation, association, organization, joint venture, firm, other business enterprise, governmental body, group of natural persons or other entity and includes any other person acting on behalf of a person.

H. As employed herein, to “identify” or “state the name of” a person shall mean to state the full name and present or last known home and business addresses of the person, the present or last known business affiliation of the person, and the job title or profession of the person.

I. As used herein, to “identify” a document shall mean to state the date, the author, the type of document and any other information necessary to identify the document with sufficient particularity to meet the requirements for inclusion in a request for production of documents pursuant to Rule 1.350, Florida Rules of Civil Procedure. If any such document was in the possession or subject to the control of GCC, but no longer is, state what disposition was made of it and the reason for that disposition. If any document or data is in any other person or party’s control, state the location and control of the document as known to GCC. In lieu of identifying any document, a complete copy may be attached to the answers to these interrogatories or provided in response to GREC LLC’s First Request for Production of Documents.

3. Please identify each Person expected to be called by GCC to testify as a non-expert witness at the trial in this case and, with regard to each witness, describe the substance of the facts and conclusions about which the witness is expected to testify.

4. Please identify all Documents on which GCC will rely or introduce as exhibits at the trial in this case.

5. Please identify each of GCC's current members, corporate officers and directors.

6. Please identify each of GCC's past members, corporate officers and directors.

7. Does GCC have any affiliated entities? If yes, please identify such entities.

8. Please describe Michael S. Canney's relationship to GCC and the nature and time of any discussions or involvement of Mr. Canney regarding issues raised in the First Amended Complaint.

9. Is GCC currently registered as a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code? If yes, please identify when GCC was recognized as a tax-exempt organization.

10. Did GCC's Board of Directors take specific corporate action to authorize the filing of the First Amended Complaint? If yes, please provide any documents regarding such action, including any minutes or resolutions, and identify the date and location of any board meeting at which such action was taken, and the attendees at such meeting.

11. Paragraph 19 of the First Amended Complaint alleges:

The activities of the advisory committee in negotiating the April 29, 2009 agreement were unlawful and the CITY OF GAINESVILLE approval of the agreement unlawfully negotiated was unlawful.

On what date did GCC's past or present officers, directors, attorneys, or agents first become aware of any activities of the advisory committee that were allegedly unlawful?

12. Paragraph 14 of the First Amended Complaint alleges in pertinent part:

The agreement that was ultimately presented to Hunzinger for his signature on behalf of the CITY OF GAINESVILLE contained substantial changes from the binding proposal. These changes were discussed privately with individual members of the City Commission by Hunzinger or by members of the advisory committee, and were then brought before the City Commission for ratification on May 7, 2009.

With regard to the City Commission meeting on May, 7, 2009:

- (a) Did any of GCC's past or present officers, directors, attorneys or agents receive notice or have actual knowledge of the meeting? If yes, on what date did each of them receive notice and how did they receive notice?
- (b) Did any of GCC's past or present officers, directors, attorneys or agents attend the meeting? If yes, which officers, directors, attorneys or agents attended?
- (c) If any of GCC's past or present officers, directors, attorneys, or agents attended the May 7, 2009 City Commission hearing, did any such Person make any comments or raise any concerns to the Commission, and if so, please identify the comments or concerns.

13. Please describe Ray Washington's relationship to GCC and the nature and time of any discussions or involvement of Mr. Washington regarding issues raised in the First Amended Complaint?

Attorneys for Intervenor, GREC LLC



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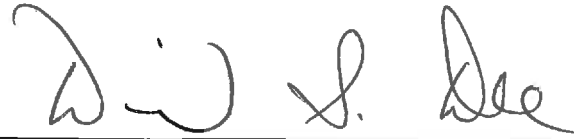
Telephone: (850) 385-0070

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic delivery and U.S. Mail this 14th day of June, 2012, to the following:

Marcy I. Lahart
4804 SW 45th Street
Gainesville, FL 32608

Elizabeth A. Waratuke, Litigation Attorney
City of Gainesville
Office of the City Attorney
P.O. Box 490
Station 46
Gainesville, FL 32627-0490



Attorney

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, _____ . He/she is personally known to me or has produced his/her driver's license as identification and has/had not taken an oath.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at _____, this ____ day of _____, 2012.

NOTARY PUBLIC
State of Florida at Large

Print Name

My Commission Number
Expires: