

ROSALYNNE R. ATTERBEARY  
REVOCABLE TRUST *et. al.*

Plaintiffs

v.

PROPERTY OWNERS ASSOCIATION  
OF ARUNDEL ON THE BAY, INC.

Defendant

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IN THE  
CIRCUIT COURT  
FOR  
ANNE ARUNDEL COUNTY,  
MARYLAND

Case No. C-02-CV-15-003736

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**FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

TO: Property Owners Association of Arundel on the Bay, Inc., Defendant  
FROM: Rosalynne R. Atterbeary Revocable Trust, Plaintiff

Pursuant to Maryland Rule 2-422, you are required to file within thirty (30) days a written response to each request on the attached Document Schedule and to produce those documents for inspection and copying on or before March 4, 2016, at 10:00 a.m. in the offices of Blumenthal, Delavan, Powers & Palmer, P.A., 170 Jennifer Road, Suite 240, Annapolis, Maryland 21401.

**Instructions**

(a) In accordance with Rule 2-422(c), your written response "shall state, with respect to each item or category, that inspection and related activities will be permitted as requested, unless the request is refused, in which event the reasons for refusal shall be stated. If the refusal relates to part of an item or category, the part shall be specified."

(b) In accordance with Rule 2-422(d), the documents shall be produced as they are kept in the usual course of business, or you shall organize and label them to correspond with the categories in the request.

(c) Pursuant to Rule 2-422(a), these requests encompass all items within your possession, custody or control.

(d) Pursuant to Rule 2-401(e), these requests are continuing in character. If you obtain any further material information before trial, you are required to supplement your answers promptly.

(e) If in responding to these requests you encounter any ambiguity in construing any request, instruction or definition, set forth the matter deemed ambiguous and the construction used in responding.

### **Definitions**

As used in these requests, the following terms are to be interpreted in accordance with these definitions:

(a) In accordance with Rule 1-202(q), the term "person" includes any individual, general or limited partnership, joint stock company, unincorporated association or society, municipal or other corporation, incorporated association, limited liability company, the State, its agencies or political subdivisions, any court, or any other governmental entity.

(b) The terms "you" and "your" include the person(s) to whom these requests are addressed, and all of that person's agents, representatives, or attorneys.

(c) In accordance with Rule 2-422(a), the term "document" or "documents" includes all "writings, drawings, graphs, charts, photographs, sound recordings, images, and other data

compilations stored in any medium from which information can be obtained, translated, if necessary, by the Plaintiff through detection devices into reasonably usable form.”

(d) The “Atterbeary Property” means the property at 3551 Narragansett Avenue, Annapolis, Maryland 21403, and identified as Lots A and B, Block 11.

(e) The “Coble Property” means the property at 3557 Narragansett Avenue, Annapolis, Maryland 21403, and identified as Lots K, L, and M, Block 12.

(f) The “Coble Strip” refers to that portion of Magnolia Avenue described in County VI of the Complaint.

(g) The “Complaint” means the Complaint filed by Plaintiffs at the Circuit Court for Anne Arundel County on December 1, 2015.

(h) The “Disputed Area” means portions of Magnolia Avenue and Chesapeake Walk that bind on the Atterbeary Property and the Coble Property and are located between Narragansett Avenue and the waters of the Chesapeake Bay.

### **Requests**

1. All documents identified in your answers to this party’s interrogatories.
2. All documents referred to in preparation of your answers to this party’s interrogatories.
3. All statements, memorandum, or other written or electronic document given by you to any person concerning the subject matter of this action.
4. For each person whom you expect to call as an expert witness at trial: all written reports; the most recent resume or curriculum vitae; all notes, diagrams, photographs or other documents prepared or reviewed in connection with their assignment in this case; all drafts, working papers or documents generated in connection with the opinions and subjects on which

the witness is expected to testify; each publication or paper that was written or worked on which refers or relates to the opinions and subjects on which the witness is expected to testify; and each transcript of testimony given by each witness.

5. Any photograph, diagram, survey, plat, notes or other graphic representations of or related to the Atterbeary Property, the Coble Property, the Disputed Area, or the Coble Strip.

6. All photographs, diagrams, surveys, plats, notes or other graphic representations of or related to the roads in Arundel on the Bay.

7. All correspondence, notes, memoranda or other communications between you and the plaintiffs related to or concerning the subject matter of this action.

8. All written opinions or other documents relating to title to the roads in Arundel on the Bay prepared for you or at your request, including any written opinions prepared by Edward Albert and any transcripts of testimony related to Mr. Albert's opinions relating to title to the roads in Arundel on the Bay.

9. All documents relating to the ownership, use, maintenance or occupation of the Disputed Area and the Coble Strip as described in the Complaint.

10. All documents that support any counterclaim(s) you may assert in this action.



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