

IN THE STATE COURT OF BULLOCH COUNTY, STATE OF GEORGIA

MO FLO LLC
1267 NORTHSIDE DRIVE EAST
STATESBORO, GA 30458
DBA: FLOORS OUTLET

Plaintiff(s)

VS

WILHELMINA ALEXANDER EDWIN ALEXANDER
204 HIGHLAND RD 204 HIGHLAND RD
STATESBORO, GA 30458 STATESBORO, GA 30458

Defendants

) State Court: STCV2022000202
) Magistrate Court : 2022-11739CS
)
) CERTIFICATE OF SERVICE
) REGARDING DEFENDANTS' FIRST
) REQUEST FOR PRODUCTION OF
) DOCUMENTS FROM AMBIGUOUSLY
) IDENTIFIED CLIENT(S) OF R. MATTHEW
) SHOEMAKER

CERTIFICATE OF SERVICE REGARDING DEFENDANTS' FIRST REQUEST FOR
PRODUCTION OF DOCUMENTS FROM AMBIGUOUSLY IDENTIFIED CLIENT(S) OF R.
MATTHEW SHOEMAKER

Pursuant to Uniform Superior Court Rule 5.2, Defendants give the court notice of discovery. On September 7, we mailed the attached DEFENDANTS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS FROM AMBIGUOUSLY IDENTIFIED CLIENT(S) OF R. MATTHEW SHOEMAKER to R. Matthew Shoemaker. He received it on September 12, 2022. While the U.S. Post Office did the return receipt wrongly, and didn't have the signer write the date, we have included tracking information and the signed return receipt, and Matt Shoemaker phone called to Wilhelmina Randtke on September 12, 2022 from 404-831-2152 and confirmed he received this.

This day of September 26, 2022



Wilhelmina Randtke, Defendant
204 Highland Rd.
Statesboro, GA 30458



Edwin Alexander, Defendant
204 Highland Rd.
Statesboro, GA 30458

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|--|--|
| <ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. | <p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received By (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> |
| <p>1. Article Addressed to:</p> <p>R. Matthew Shoemaker Jones Clark LLP 435 Second Street Fifth Floor, SunTrust Bank Bldg P.O. Box 6437 Macon, Georgia 31208-6437</p> | <p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> |
| <p>2. Article Number (Transfer from service label)</p> | <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> |
| PS Form 3811, February 2004 | Domestic Return Receipt |
| | 102595-02-M-1540 |

| U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only | |
|---|--|
| For delivery information, visit our website at www.usps.com | |
| Macon, GA 31208 | |
| Certified Mail Fee | \$4.00 |
| Extra Services & Fees (check box, add fee as appropriate) | \$7.25 |
| <input type="checkbox"/> Return Receipt (hardcopy) | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic) | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$0.00 |
| <input type="checkbox"/> Adult Signature Required | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |
| Postage | \$0.84 |
| Total Postage and Fees | \$8.09 |
| Sent To | R. Matthew Shoemaker; Jones Clark LLP Street and Apt. No., or PO Box No. 435 Second Street; Fifth Floor, SunTrust Bank City, State, ZIP+4® PO Box 6437; Macon, GA 31208-6437 |
| Postmark Here | 0770 04 09/07/2022 |
| PS Form 3800, April 2015 PSN 7530-02-000-9047 | See Reverse for Instructions |

| | |
|--------------|--------|
| Total | \$8.09 |
| Grand Total: | \$8.09 |

| | |
|-----------------------------|------------|
| Credit Card Remit | CHASE VISA |
| Card Name: VISA | Chip |
| Account #: XXXXXXXXXXXX6663 | |
| Approval #: 02216C | |
| Transaction #: 027 | |
| AID: A0000000031010 | |
| AL: VISA CREDIT | |
| PIN: Not Required | |

 Every household in the U.S. is now eligible to receive a third set of 8 free test kits.
 Go to www.covidtests.gov

Tracking Number:

70201810000053682641

[Remove X](#)

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(<https://informedelivery.usps.com/>)

Latest Update

Your item was picked up at the post office at 8:18 am on September 12, 2022 in MACON, GA 31213.

Feedback

Delivered

Delivered, Individual Picked Up at Post Office

MACON, GA 31213
September 12, 2022, 8:18 am

Available for Pickup

MACON, GA 31208
September 9, 2022, 8:13 am

Departed USPS Regional Facility

MACON GA DISTRIBUTION CENTER ANNEX
September 8, 2022, 11:44 pm

Arrived at USPS Regional Facility

MACON GA DISTRIBUTION CENTER ANNEX
September 7, 2022, 10:27 pm

USPS in possession of item

STATESBORO, GA 30458
September 7, 2022, 3:12 pm

[Hide Tracking History](#)

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USPS Tracking Plus®



Product Information



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Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

Feedback

IN THE STATE COURT OF BULLOCH COUNTY, STATE OF GEORGIA

MO FLO LLC
1267 NORTHSIDE DRIVE EAST
STATESBORO, GA 30458
DBA: FLOORS OUTLET

Plaintiff(s)

) State Court: STCV2022000202
) Magistrate Court : 2022-11739CS
)
) Defendant's First Request for Production
) of Documents from Ambiguously Identified
) Client(s) of R. Matthew Shoemaker

VS

WILHELMINA ALEXANDER
204 HIGHLAND RD
STATESBORO, GA 30458
Defendants

EDWIN ALEXANDER
204 HIGHLAND RD
STATESBORO, GA 30458

DEFENDANTS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS FROM
AMBIGUOUSLY IDENTIFIED CLIENT(S) OF R. MATTHEW SHOEMAKER

Pursuant to O.C.G.A. §§ 9-11-26 and 9-11-34, defendants request that plaintiff(s) respond separately, in writing and under oath, to the following request for production of documents within thirty (30) days from the date of service as provided by law, with a copy of the responses being served upon the defendants at 204 Highland Rd. Statesboro, GA 30458. In lieu of being provided with a copy, plaintiff(s) may produce a copy or permit defendant to inspect and copy the described documents at 204 Highland Rd. until said inspection, copying and related activities are completed.

Plaintiff(s) for purposes of this request for production means any client of R. Matthew Shoemaker in STCV2022000202, whether "Mo Flo LLC", or "Mo Flo, LLC", or other party to the case represented by R. Matthew Shoemaker as of his September 2, 2022 notice of appearance even if not accurately named in the notice of appearance.

DEFINITIONS AND INSTRUCTIONS

(A) This request for production of documents shall be deemed continuing to the extent permitted by O.C.G.A. § 9-11-26(e), so as to require plaintiff to serve upon defendant supplemental answers if plaintiff or his/her/its attorneys obtain further information between the time the answers are served and the time of trial.

(B) The following definitions shall apply to this request:

(1). The term "document," whether singular or plural, shall mean documents and other tangible things defined in the broadest sense permitted by the Georgia Civil Practice Act and shall include without limitation originals or, if such are not available, true copies of all emails, text messages, memoranda, reports, evaluations, correspondence, interoffice communications or memoranda, agreements, contracts, invoices, checks, journals, ledgers, telegraphs, telexes,

handwritten notes, periodicals, pamphlets, computer files (irrespective of the storage media), computer or business machine printouts, accountant's work papers, accountant's statements and writing, notations or records of meetings, books, papers, diaries, promissory notes, evidences of indebtedness, security agreements, loan applications, leases, documents creating or reflecting security interests, loan agreements, financing statements, deposit slips, advertising, office manuals, employee manuals, rules and regulations, reports of experts, drafts and copies of any of the foregoing, or such documents as are not an identical copy of an original or where such copy contains any commentary or notation whatsoever that does not appear on the original, tape recordings or other sound or visual production materials and any other written matter, tangible or physical objects, however produced or reproduced, upon which words or phrases are affixed and from which by appropriate transfixion such matter or tangible thing may be produced in the possession, custody or control of either plaintiff(s) or their agents, attorneys, or employees.

(2). The term "persons" shall mean all individuals and entities, including without limiting the generality of the foregoing, all individuals, governmental bodies, sole proprietorships, associations, companies, partnerships, joint ventures, corporations, trusts, and estates.

(3). The term "and" shall mean and/or.

(4). In these requests, the singular includes the plural; the plural includes the singular; the masculine includes the feminine; the feminine includes the masculine.

(5). "Floors Outlet" should be interpreted in the broadest sense possible to encompass the possibility that it is a sole proprietorship operated by Brian McDonald, to encompass the possibility that it is a partnership with many persons acting as partners, and to encompass its owners and principals.

(C) Whenever production is requested of a document which is no longer in your possession, custody or control, your response should identify the document by name, number, form or description, and by date made, and the date which the document was most recently in your possession, custody or control, the disposition made of the document, and the identity of the person or persons now in possession, custody or control of such document. If the document has been destroyed, the response should state the reason for its destruction and the identity of the person or persons who destroyed the document and who directed that document be destroyed.

(D) If you object to part of a request and refuse to answer that part, state your objections and answer the remaining portion of that request. If you object to the scope or time period of the request and refuse to answer for that scope or time period, state your objection and answer the request for the scope or time period you believe is appropriate.

If any of the following requests cannot be responded to in full after exercising due diligence to secure the information, please so state and answer to the extent possible, specifying your inability to answer the remainder, and stating whatever information you have concerning the unanswered portions. If your response is qualified in any particular, please set forth the details of such qualifications.

(E) In the event you wish to assert attorney/client privilege or work-product exclusion, or both, as to any document requested by any of the following specific requests, then as to each document subject to such assertion, you are requested to provide [plaintiff/defendant] with identification of such document in writing, such identification to include the nature of the document, the sender, the author, the recipient, the recipient of each copy, the date, the name of each person to whom

the original of any copy was circulated, the names appearing on any circulation list of the department associated with such document, a summary statement of the subject matter of such document in sufficient detail to permit the Court to reach a determination in the event of a motion to compel, and an indication of the basis for assertion of the privilege or the like.

REQUEST FOR PRODUCTION

1. Copies of any affidavits, documents, or other filing filed in this case with the Magistrate Court of Bulloch County to meet requirements of Magistrate Court Rule 31 stating, "Any officer or full-time employee of a corporation, sole proprietorship, partnership or unincorporated association may be designated by such entity as agent for purposes of representing it in civil actions to which it is a party in magistrate court. An action on behalf of a corporation, sole proprietorship, partnership, or unincorporated association, except affidavits in attachment, may be filed and presented by such designated agent. Said individual claiming to represent one of the aforementioned entities as its agent shall file with the court a sworn affidavit or otherwise provide supporting documents sufficient to establish to the court that said individual is in fact a bona fide officer or full-time employee of the entity that is a party to the action." (emphasis added).
2. Copies of any documents showing subcontracts for labor related to the April 9, 2022 contract to install tile at 204 Highland Rd.
3. Copies of any past contracts with the same subcontractor(s) who subcontracted to perform on the April 9, 2022 contract to install tile at 204 Highland Rd. and for which the subcontractor(s) performed work on those past contracts before May 23, 2022.
4. Any documents or records showing proof of payment for labor for the install at 204 Highland Rd.
5. Any documents showing communications from subcontractor(s) or employees of Floors Outlet regarding 204 Highland Rd.
6. Any notes or files regarding 204 Highland Rd.
7. Copies of any bank statement or any other documents showing payments received by plaintiff(s) or by Floors Outlet from Wilhelmina Randtke during April 2022.
8. Any documents showing supplies purchased or showing proof of payment for the supplies used in the install at 204 Highland Rd. This should include any canceled orders and the cancellation as well as purchased and received supplies.
9. Copies of the front and back of the stapled together April 9, 2022 contract and invoice for installation of tile at 204 Highland Rd, including the handwritten and initialed change to the grout color.

10. Copies of any notes written on the back of the pages of the April 9, 2022 contract and invoice for installation of tile at 204 Highland Rd, and any additional notes, documents, or pages later attached to that packet in Floors Outlet's records.
11. Copies of any documents June 1, 2022 or earlier inclusive showing funding arrangements between Brian McDonald, Randy Childs, and Prince Preston in operation of Floors Outlet, including sharing and allocation of risk, sharing and allocation of expenses, sharing and allocation of profits and losses, right of control over the business, and ownership of business capital.
12. Copies of any documents showing personnel records or payment records regarding Brian McDonald which might tend to indicate whether he is an employee versus independent contractor versus runs a separate business versus some other relationship to plaintiff(s).
13. Copies of any insurance policies applicable to the work performed and supplies consumed under the April 9, 2022 contract to install tile at 204 Highland Rd. (For purposes of determining what policies were in place, the contract was signed April 9, 2022 and workers associated with the contract were at 204 Highland Rd between May 23 and May 31 inclusive, so policies in place on those dates should be provided.)
14. Copies of any advertising materials used to advertise tile used by Floors Outlet or its principals or other persons operating the storefront at 1267 Northside Dr. E. Statesboro, GA 30458.
15. Copies of any text messages, emails, or other documents between Brian McDonald and Prince Preston sent or received between May 23, 2022 and August 1, 2022. This includes communication between only those two and communication with those two plus others such as a group text or email.
16. Copies of any text messages, emails, or other documents between Brian McDonald and Josh White sent or received between May 23, 2022 and August 1, 2022. This includes communication between only those two and communication with those two plus others such as a group text or email.
17. Copies of any text messages, emails, or other documents between Brian McDonald and subcontractors who worked at 204 Highland Rd. and which text messages were sent or received between April 9, 2022 and July 12, 2022.
18. Copies of any documents showing payments to or from Brian McDonald and plaintiff(s) represented by R. Matthew Shoemaker according to his September 2, 2022 notice of appearance, including but not limited to paychecks, bonuses, commissions, and payments on contracts.

19. Any licenses which were active between April 9, 2022 and May 31, 2022 and which relate to Floors Outlet or Brian McDonald being able to legally operate as a contractor.
20. Complete copies of any recordings of phone calls to or from Wilhelmina Randtke (850-345-6123 or 912-478-5035) or Edwin Alexander (305-338-3329).
21. Any documents showing or keeping a log or record of attempts to collect money from Wilhelmina Randtke or Edwin Alexander between May 31, 2022 and July 12, 2022.

This day of September 7, 2022



Wilhelmina Randtke, Defendant
204 Highland Rd.
Statesboro, GA 30458



Edwin Alexander, Defendant
204 Highland Rd.
Statesboro, GA 30458

CERTIFICATE OF SERVICE

I certify that I sent a copy of this DEFENDANT'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS FROM AMBIGUOUSLY IDENTIFIED CLIENT(S) OF R. MATTHEW SHOEMAKER by certified mail to:

R. Matthew Shoemaker
Jones Cork LLP
435 Second Street
Fifth Floor, SunTrust Bank Building
P.O. Box 6437
Macon, Georgia 31208-6437

Signed September 7, 2022



Wilhelmina Randtke
204 Highland Rd
Statesboro, GA 30458
850-345-6123