

IN THE STATE COURT OF BULLOCH COUNTY  
STATE OF GEORGIA

MO FLO, LLC dba FLOORS OUTLET,

Plaintiff,

v.

WILHELMINA ALEXANDER and EDWIN  
ALEXANDER,

Defendants.

CIVIL ACTION FILE  
NO. STCV2022000202

**PLAINTIFF MO FLO, LLC'S RESPONSES AND OBJECTIONS TO DEFENDANTS'  
FIRST INTERROGATORIES**

COMES NOW Mo Flo, LLC, and hereby serves its responses and objections to Defendants' First Interrogatories as follows:

1.

What is the factual basis for the allegations set forth in the July 12, 2022 Statement of Claim?

**RESPONSE:**

Defendants entered into a contract with Mo Flo, LLC on April 9, 2022, for the purchase and installation of tile at the Defendants' residence, 204 Highland Rd. Defendants agreed to pay half of the total price upfront and the remaining balance after the tile was installed. Each installment was in the amount of \$8,159.72. Defendants paid the first installment, but never provided Mo Flo, LLC with the second installment despite Mo Flo, LLC's subcontractors installing the tile at the residence. To recover the second installment and costs to date in the amount of \$110.00, Mo Flo, LLC filed its Statement of Claim for \$8,269.72 in the Magistrate Court of Bulloch County on July 12, 2022.

2.

What is the factual basis for the allegations set forth in the Claim of Lien filed by Mo Flo, LLC on September 13, 2022 (attached)?

**RESPONSE:**

Mo Flo, LLC filed a Claim of Lien on the property located at 204 Highland Road in the amount of \$8,869.72 plus accrued interest. This lien was claimed for the purpose of recovering funds never paid for the labor, material, and services furnished to improve the property located at 204 Highland Road.

3.

State any evidence and facts supporting an assertion that Brian McDonald was operating legally under the requirements of OCGA Title 43 Chapter 41 Residential and General Contractors on the date when he signed as "Contractor" on the April 9, 2022 contract to install tile at 204 Highland Rd. This should include any applicable licenses, any required local licenses including the license required by City of Statesboro Code of Ordinances Sec. 18-104, and any evidence and facts to support his having any applicable "special skill and requiring specialized building trades or crafts, including, but not limited to, such activities, work, or services requiring licensure under Chapter 14 of this title" referred to in OCGA 43-41-2(12). This might include experience installing tile flooring, experience installing tile, experience installing flooring, or any other applicable experience to meet requirements in OCGA 43-41-2(12). This might include any evidence and facts regarding the legality of Brian McDonald subcontracting out labor in excess of \$2,500. This might include any agency relationship or other relationship and an explanation of how that relationship allowed Brian McDonald to meet the requirements of OCGA Title 43 Chapter 41.

**RESPONSE:**

Mo Flo, LLC objects to Defendants' Interrogatory No. 3 as vague, ambiguous, overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving said objections, Brian McDonald signed the contract as an authorized representative of Mo Flo, LLC. Mo Flo, LLC was operating as a "traditional specialty contractor" pursuant to O.C.G.A. § 43-41-17.

4.

Please identify each person whom you expect to call as an expert witness at trial or in connection with a motion for summary judgment, state the subject matter upon which the expert is expected to testify, state the qualifications of the expert (including resume or other summary of other qualifications), and state the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

**RESPONSE:**

Mo Flo, LLC has yet to designate any expert witnesses to testify at trial, but Mo Flo, LLC will supplement this response as soon as any such designation is made.

5.

Please identify each person whom you expect to call as a witness at trial or in connection with a motion for summary judgment and state the matters upon which the witness is expected to testify.

**RESPONSE:**

Mo Flo, LLC has yet to designate any expert witnesses to testify at trial, but Mo Flo, LLC will supplement this response as soon as any such designation is made.

6.

Please identify each person who worked at 204 Highland Rd regarding the April 9, 2022 contract to install tile at 204 Highland Rd., including employees of Floors Outlet, employees of Mo Flo LLC (or variations of that name), employees of any subcontractors, and the dates each person was at 204 Highland Rd.

**RESPONSE:**

Mo Flo, LLC objects to Defendants' Interrogatory No. 6 as vague, ambiguous, overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving said objections, Mo Flo, LLC hired a subcontractor to work on the jobsite and lacks the personal knowledge to provide names and dates of all workers who visited 204 Highland Rd. To the best of Mo Flo, LLC's knowledge, Caleb Warren and Shannon Warren worked at 204 Highland Rd. from about May 23, 2022 through May 28, 2022. Jose Gonzalez worked on the property towards the end of the installation. Brian McDonald visited the residence to look at the tile installation on May 23, 2022 and again around June 1, 2022.

7.

For each person who worked at 204 Highland Rd., provide information about workers compensation insurance coverage which was in place for that person on each date the person worked. This workers compensation insurance information should include for each person a list of every policy providing coverage to that person on any date the person worked at 204 Highland Rd., which might be multiple policies for the same person due to OCGA 34-9-8. For each applicable policy for each worker, information should include the name of the workers compensation insurance company that issued the policy, the employer the policy was issued through, dates the policy was in place between April 9, 2022 to May 31, 2022 inclusive, the workers

compensation classification code that was reported for that person regarding that policy on each date worked, and whether that policy or coverage was through the person's immediate employer or through "A principal, intermediate, or subcontractor shall be liable for compensation to any employee injured while in the employ of any of his subcontractors engaged upon the subject matter of the contract to the same extent as the immediate employer." as provided by OCGA 34-9-8. It may be the case that for employees of subcontractors, multiple policies will apply to the same person due to cascading coverage under OCGA 34-9-8, and when that is the case or when multiple policies apply for any other reason all applicable policies should be given for that person.

**RESPONSE:**

Mo Flo, LLC objects to Defendants' Interrogatory No. 7 as vague, ambiguous, overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

8.

A list of campaign contributions by Floors Outlet, Brian McDonald, Prince Preston, Randy Childs, P3 Flooring, Contractor Wholesale Floors, Mo Flo LCC (or similarly named entity), and any of their subcontractors made to the campaigns for any candidate for judge in the Magistrate Court of Bulloch County, the State Court of Bulloch County, the Superior Court of Bulloch County, and the Ogeechee Circuit District Attorney from January 1, 2017 to present including the candidate contributed to, the dollar amount of the contribution, and the date the contribution was made.

**RESPONSE:**

Mo Flo, LLC objects to Defendants' Interrogatory No. 8 as vague, ambiguous, overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.


9.

Please identify each person who provided information or assisted in preparing your responses to these interrogatories, and state in particular what each person did in that respect. Also state the specific interrogatories with respect to which each person provided information or assistance. Individuals performing only clerical duties need not be identified.

**RESPONSE:**

Mo Flo, LLC objects to Defendants' Interrogatory No. 9 to the extent it seeks information protected by the attorney-client privilege, work product doctrine, and/or other Georgia law.

This 26<sup>th</sup> day of October, 2022.



**R. MATTHEW SHOEMAKER**

State Bar No. 339367

*Attorney for Plaintiff Mo Flo, LLC (counterclaim only)*

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ALEXANDER,

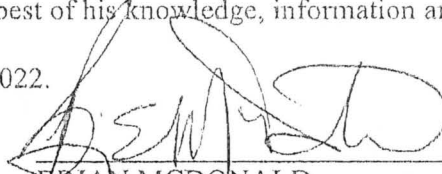
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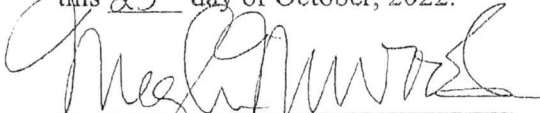
VERIFICATION

Personally appeared before the undersigned attesting officer, Mo Flo, LLC, by and through Brian McDonald, its authorized representative, who upon his oath verifies that the facts alleged in the foregoing Plaintiff Mo Flo, LLC's Responses to Defendants' First Set of Interrogatories are true and correct to the best of his knowledge, information and belief.

This 25<sup>th</sup> day of October, 2022.

  
BRIAN MCDONALD  
Authorized Representative for Mo Flo, LLC

Sworn to and subscribed before me  
this 25<sup>th</sup> day of October, 2022.

  
Notary Public


Meghan M. Woods  
NOTARY PUBLIC  
Bulloch County  
State of Georgia  
My Comm. Expires March 21, 2026

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served a copy of the within and foregoing **PLAINTIFF MO FLO, LLC'S RESPONSES AND OBJECTIONS TO DEFENDANTS' FIRST INTERROGATORIES** upon all parties to this matter by depositing a true copy of same in the U.S. Mail, proper postage prepaid, addressed to all parties and counsel of record as follows:

Wilhelmina Randtke  
Edwin Alexander  
204 Highland Road  
Statesboro, Georgia 30458

This 21<sup>st</sup> day of October, 2022.

  
\_\_\_\_\_  
**R. MATTHEW SHOEMAKER**  
State Bar No. 339367  
*Attorney for Plaintiff Mo Flo, LLC (counterclaim  
only)*

JONES CORK, LLP  
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RULE 5.2 CERTIFICATE

This is to certify that I served a true and correct copy of the foregoing **PLAINTIFF MO FLO, LLC'S RESPONSES AND OBJECTIONS TO DEFENDANTS' FIRST INTERROGATORIES** upon the following parties in this case electronically and by depositing said copies in the United States mail with adequate postage affixed thereto as follows:

Wilhelmina Randtke  
Edwin Alexander  
204 Highland Road  
Statesboro, Georgia 30458

This ~~26~~ <sup>28</sup> day of October, 2022.



**R. MATTHEW SHOEMAKER**

State Bar No. 339367

*Attorney for Plaintiff Mo Flo, LLC (counterclaim  
only)*

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