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W82/74-010

IN THE CIRCUIT COURT OF THE 15<sup>TH</sup>  
JUDICIAL CIRCUIT IN AND FOR  
PALM BEACH COUNTY, FLORIDA

CASE NO.: 502016CA014473XXXXMB  
Division: AE

JOHN LEOPOLDO FIORILLA  
as trustee f/b/o JOHN LEOPOLDO  
FIORILLA TRUST U/A/D 06-25-2003,

Plaintiff,

vs.

KLAYMAN & TOSKES, P.A., a Florida  
Corporation; LAWRENCE L. KLAYMAN;  
and STEVEN D. TOSKES,

Defendants.

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**DEFENDANT, KLAYMAN & TOSKES, P.A.'S, AMENDED RESPONSE TO  
PLAINTIFF'S FIRST REQUEST FOR PRODUCTION**

Defendant, KLAYMAN & TOSKES, P.A., by and through undersigned counsel, hereby responds to Plaintiff, JOHN LEOPOLDO FIORILLA as trustee f/b/o JOHN LEOPOLDO FIORILLA TRUST U/A/D 06-25-2003's, First Request for Production served with the Summons and Complaint as follows:

**GENERAL OBJECTIONS**

1. Defendant objects to the definitions of "K&T", "Klayman", "Toskes" and "Manasseh" due to the inclusion of "attorneys" in their definitions. All communications between K&T, Klayman, Toskes, Manasseh and their attorneys are attorney-client protected communications.

2. Defendant objects to the definition of "document" or "documents" as it is overbroad in scope with respect to subject matter. The definition also includes items which are

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irrelevant and immaterial to the matters at issue in this cause and which are not reasonably calculated to lead to the discovery of admissible evidence.

3. Defendant objects to the definition of “communication” to the extent it includes any communications which are attorney-client protected communications.

4. Defendant objects to Plaintiff’s instruction in Paragraph Number 30 of the Request for Production which states that: “[T]he relevant time period for the creation and/or transmission of any Documents is January 1, 2010 through the present.” This time period is overbroad in scope. This time period includes matters after Plaintiff terminated the attorney-client relationship with Defendants and is therefore overbroad. Any time period following Plaintiff’s termination of the attorney-client relationship with Defendants is irrelevant and immaterial to the matters at issue in this cause and is not reasonably calculated to lead to the discovery of admissible evidence.

**RESPONSES TO FIRST REQUEST FOR PRODUCTION**

18. All contracts or employment agreements between K&T and:

a. Klayman,

**RESPONSE: There are no documents responsive to this Request.**

b. Toskes, or

**RESPONSE: There are no documents responsive to this Request.**

c. Manasseh.

**RESPONSE: There are no documents responsive to this Request.**

19. All bonus or compensation plans between K&T and:

a. Klayman,

**RESPONSE: There are no documents responsive to this Request.**

b. Toskes, or

**RESPONSE: There are no documents responsive to this Request.**

c. Manasseh.

**RESPONSE: There are no documents responsive to this Request.**

25. All insurance policies that may cover any of the Defendants for the actions alleged in the Complaint, including excess insurance or umbrella policies.

**RESPONSE: Attached.**

WE HEREBY CERTIFY that on this 31st day of **May, 2017**, I electronically filed the foregoing with the Clerk of the Court by using the Florida Court's E-Filing Portal which will send a notice of electronic filing to all counsel on the attached Service List.

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