

IN THE SUPERIOR COURT OF FORSYTH COUNTY

STATE OF GEORGIA

ELIZABETH ANDERSON,

Plaintiff,

v.

JOHNNY ANDERSON,

Defendant.

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Civil Action

File No. 20CV-4321-1

DEFENDANT'S FIRST NOTICE TO PRODUCE AND
REQUEST FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF

To: Elizabeth Anderson, Plaintiff
By and through her attorney of record Jane Smith, Esq.
The Law Office of Jane Smith
432 Statute Drive
Cumming, Georgia 30040
janesmith@aol.com

Pursuant to O.C.G.A. § 24-10-26, you are hereby notified to produce at any hearing, any deposition, and/or trial in the above case, and from time to time and term to terms until the above case is concluded, the documents and records set forth below which are in your possession, custody or control, the same to be used as evidence by the Defendant above.

In addition, you are requested to produce, pursuant to O.C.G.A. § 9-11-34, the documents and records set forth below for inspection and copying by the attorney for Defendant at the offices of Patterson Moore Butler, LLC., 213 Kelly Mill Road, Cumming, Georgia, 30040, where adequate facilities are available for copying, at such time as is agreed by counsel, but in any event, within the time required by law.

The documents and records which you are notified and requested to produce are as follows:

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Elizabeth Anderson v. Johnny Anderson

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Defendant's First Notice to Produce and Request for Production of Documents to Plaintiff

1.

All pay-stubs, social security check stubs, veteran's benefits check stubs, statements of earnings, W-2 forms, 1099 forms, K-1 forms, and any other documents given to you by your employer and/or any other person, partnership, corporation, government entity, or other entity showing your income from any source from January 1, 2015, to the date of trial in the above-styled case.

2.

To the extent not already provided in response to Request Number 1, please produce all documents that evidence the amount of other income received from any source in which you currently have any claim or interest from January 1, 2015 through the present and through the time of trial in this matter.

3.

(a) Any and all copies of income tax records, including amended returns, filed by you individually and/or jointly with any other or others with Federal and State Governments and any and all of deficiency or proposed deficiency sent to you by the Internal Revenue Service for the years 2015 to the time of trial.

(b) All W-4 forms which you have submitted to your employer since January 1, 2015; if none, produce a statement from your employer indicating the number of withholding exemptions which you are declaring for federal income tax purposes.

(c) Any and all copies of declaration of Estimated Income Tax Returns filed by you individually and/or jointly with any other or others with Federal and State Governments, for the years 2015 through the time of trial.

(d) Any and all copies of Intangible Tax Returns filed by you individually and/or jointly

with any other or others with any State or Municipal Government for the past five (5) years.

4.

All records and other tangible evidence relating to any profit-sharing plan, pension plans, Keogh plans, Individual Retirement Accounts, stock ownership plans, 401-K plans, and any other deferred compensation, incentive or retirement plans of any nature in which you have any interest, whether or not any such plans qualified pursuant to the Internal Revenue Code of 1986, as amended, for the period from January 1, 2015 to the present, including but not limited to the following:

- i. Any quarterly, semi-annual statements of your interest and account as participant of any such plan; and
- ii. Any Summary Plan Description or similar document containing the terms and conditions under which the plan is maintained.

5.

Any and all documents evidencing any purchase, sale, loan taken against, or other transfer of any type of any interest in any stock held by you, individually or jointly, during the period of January 1, 2015 to the date of trial in the above-styled action.

6.

(a) All warranty deeds, quitclaim deeds, and deeds to secure debt which name you as grantor, individually and/or jointly with any other person or persons, relating to real property in which you have any interest or equity.

(b) All closing statements, contracts of sale, or other documents relating to your purchase or sale of any interest in real property in the last fifteen (15) years.

(c) Any and all real estate leases or lease/purchase agreements showing you as lessor or lessee, individually and/or jointly with any other person or persons; and

(d) Any real estate option agreements of which you are a party.

7.

Any and all appraisals completed for any real property in which you have an interest from January 1, 2015 to present.

8.

(a) All automobile tag registration certificates naming you or your spouse, individually and/or jointly with any other person or persons, as owner.

(b) Any automobile leases or lease/purchase agreements of which you are a lessor or lessee, individually and/or jointly with any other person or persons.

(c) Any automobiles rental agreements of which you have rented in the past three years.

9.

(a) All stock certificates, bond certificates, mutual fund certificates, and any other evidence of ownership of any interest in any corporation, mutual fund, or money market fund naming you, individually and/or jointly with any other person or persons, as an owner.

(b) All monthly, quarterly, or other statements and check registers, if any, relating to your interest in any securities and any investment accounts of any nature whatsoever for the period from January 1, 2015 to the present.

10.

All contents of any safe deposit boxes and/or safes maintained by you individually and/or jointly with any other person or persons, as of the date of service of this Notice to Produce and

Request for Documents. In lieu of the actual contents, you may choose to produce a true and complete list of the contents.

11.

Any and all tangible evidence, including, but not limited to, statements of accounts, deeds, notes, trust agreements, contracts, agreements, letters, memoranda, notices, or other documents relating to any interest you may have in any property, tangible or intangible, which interest in property has not been produced by you pursuant to any other paragraph in this Notice to Produce and Request for Documents. Such property interests include, but are not limited to, interests in any of the following:

- i. Any trust or state, including, but not limited to, present, future, and reversionary interests;
- ii. Any notes or accounts receivable;
- iii. Any partnerships, joint ventures, or syndicates;
- iv. Any negotiable or non-negotiable instruments;
- v. Any U. S. Treasury Bills or Notes;
- vi. Any royalties, copyrights, or patents;
- vii. Any oil, gas or mineral interests; and
- viii. Any other assets or interest in property of any nature not otherwise covered in this Notice to Produce and Request for Documents.

12.

Any and all notes or obligations of any nature whatsoever of which you are currently an Obligee or an Obligor, individually and/or jointly with any other person or persons.

13.

All copies of personal financial and net worth statements submitted by you, individually and/or jointly with any other person or persons, to any bank or lending institution during the period January 1, 2015 to the date of trial in the above-styled action.

14.

Any and all monthly credit and charge statements and receipts showing all charges and payments made and the balance due on any credit cards or charge accounts maintained by you or regularly used by you, including, but not limited to, any accounts maintained in your name, the name of your spouse, or both you and your spouse, or any other person or entity for the period from January 1, 2015 to the present.

15.

All records of bank checking accounts, savings accounts, cash management accounts, certificates of deposit, investment and money market accounts maintained by you, individually and/or jointly with others, or maintained by you as trustee or custodian for any other person or persons, including, but not limited to, monthly bank statements, canceled checks, deposit slips, check registers, passbooks, statements relating to savings accounts, certificates of deposit, and any other such records from January 1, 2015 to the date of trial of the above-styled case.

16.

All documents and letters received by you from January 1, 2015 to the date of trial of the above-styled case from any real estate broker, appraiser, or agent, as well as from any attorney, accountant, bank officer, stockbroker, appraiser, or any other person, concerning the status or value of any present or future interest you have in any corporation, partnership, sole proprietorship, security, trust, estate, reversionary interest, partnership, joint venture, syndicate, jewelry, furniture,

art, or in any other real or personal property.

17.

All documents that support the claim for any separate property.

18.

Any partnership agreements, stockholder agreements, buy-sell agreements or other agreements of any nature relating to any partnership, corporation, or other business entity in which you have an interest.

19.

Your Last Will and Testament and any Codicils relating thereto.

20.

For the period from January 1, 2015 to the present, produce all life insurance policies and certificates on your life, as well as all premium notices, forms, and other correspondence between any insurance company or agent and you relating to any life insurance of which you are the owner and/or the insured person.

21.

All medical, dental, and vision insurance policies and booklets insuring you, individually and/or jointly with any other person or persons, as well as all premium notices and correspondence received by you in the last year in connection with same.

22.

Any insurance policy for homeowners, jewelry, collectibles, or other insurable items, which are currently insured.

23.

Copies of any notes, installment obligations, or other obligations of any nature of which

you are now a guarantor, co-guarantor, or have been a guarantor or co-guarantor during the last year.

24.

Any and all detective reports, investigative or police reports, related letters, correspondence, invoices, photographs, film, videotape recordings, voice recordings, and other tangible evidence and information of any nature relating to or arising from any surveillance or investigation of the activities or affairs of the Plaintiff or Defendant in this action, which surveillance or investigation was performed by you or on your behalf in connection with this action.

25.

Any and all tangible evidence of any nature which is in the possession or control of you or your attorney, or which is being held for you by any person or entity for safe-keeping, which evidence relates, depicts or refers in any manner to the conduct of the Plaintiff or Defendant in this action, including, but not limited to, notes, cards, letters, photographs, film, documents, tapes, voice recordings, clothes, or other such tangible evidence.

26.

(a) Any and all diaries or personal notes kept by yourself from January 1, 2015 to date of hearing or trial; and

(b) From January 1, 2015 to date of hearing or trial, any and all letters and/or correspondence between you and the Defendant.

27.

All written reports rendered to you or your attorney by any proposed expert witness whom you expect to call as a witness at any hearing or trial of this case.

28.

Any and all membership contracts for any organization or club of which you, or anyone in your household is a member.

29.

All documentary, physical, tangible or demonstrative evidence including, but not limited to, photographs, audio recordings, video recordings, letters, notes, memoranda and reports you intend to introduce at any deposition, hearing or trial in the above styled case.

30.

A completed Domestic Relations Financial Affidavit in accordance with Uniform Superior Court Rule 24.2 and any and all documents which support the information contained therein.

31.

Please produce any and all evidence supporting any and all Adjustments, Deviations and/or other special expenses that you contend should apply for child support purposes, including each of those listed on Schedules “B”, “D”, and/or “E” on the Child Support Worksheets, including but not limited to producing all invoices, account statements, receipts, credit card statements, cancelled checks, and check registers for the period beginning January 1, 2017 and continuing until the time of final trial in this matter, as well as including any projections, estimates or other evidence of anticipated future expenses.

32.

A completed Child Support Worksheet and all documents which support the information contained therein.

33.

A Parenting Plan that you intend to propose at trial.

34.

All documentary evidence pertaining to any person with whom you have had a sexual relationship of any form other than your spouse from the date of your marriage until the present, including, but not limited to, any receipts for items, meals or lodging purchased while with the person(s), any receipts from items purchased as a gift for the person(s), any records of funds given to the person(s), any photographs, video tapes, or other documents of the person(s), and any correspondence to or from the person(s).

35.

Any and all documents related to any communications between you and any person other than your spouse with whom you have had a sexual relationship since the time of your marriage, including but not limited to e-mails, letters, correspondence, text messages, telephone records, transcripts, and video and audio records.

36.

From January 1, 2015, any and all records and documents showing any payment that you have made of expenses on any third party's behalf, or purchase of any property for any third party, by you, including without limitation auto expense, travel expense, telephone or cell phone charges, personal living and entertainment expenses, and the purchase of any tangible property for another person.

37.

Copies of any and all cell phone statements for any cell phone in your name, or previously in your named, including a detailed phone bill indicating incoming and outgoing calls and text messages.

38.

All documents identified in response to Defendant's First and Continuing Interrogatories to Plaintiff.

39.

Please provide your retainer agreement and each billing statement from your attorney or attorneys identified in this matter.

This _____ day of _____, 2021.

Patterson Moore Butler, LLC
Attorney for Defendant

Jennifer D. Patterson
Georgia Bar No. 566519

213 Kelly Mill Rd.
Cumming, Georgia 30040
(770) 889-0846
jpatterson@pattersonmoorebutler.com

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Civil Action

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CERTIFICATE OF SERVICE

I hereby certify that I have served upon the Defendant (or counsel thereof) the foregoing *Defendant's First Notice to Produce and Request for Production of Documents to Plaintiff*, by certified United States mail with sufficient postage attached thereon to ensure proper delivery, and by e-mail, addressed as follows:

Jane Smith

The Law Office of Jane Smith
432 Statute Drive
Cumming, Georgia 30040
janesmith@aol.com

This _____ day of _____, 2021.

PATTERSON MOORE BUTLER, LLC

Attorney for Defendant

Jennifer D. Patterson

Georgia Bar No. 566519

213 Kelly Mill Rd.

Cumming, Georgia 30040

(770) 889-0846

jpatterson@pattersonmoorebutler.com