

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

ORIGINAL

STACEY KALBERMAN,

Plaintiff,

v.

GEORGIA GOVERNMENT
TRANSPARENCY AND CAMPAIGN
FINANCE COMMISSION, f/k/a GEORGIA
STATE ETHICS COMMISSION, HOLLY
LABERGE, in her Official capacity as
Executive Secretary of the Georgia
Government Transparency and Campaign
Finance Commission, and PATRICK
MILLSAPS, in his Individual capacity,

Defendants.

CIVIL ACTION
FILE NO. 2012CV216247

**PLAINTIFF STACEY KALBERMAN'S FIRST REQUEST FOR PRODUCTION
OF DOCUMENTS AND THINGS TO DEFENDANT HOLLY LABERGE**

COMES NOW Plaintiff **Stacey Kalberman** ("Plaintiff" or "Ms. Kalberman") by and through her undersigned counsel of record, pursuant to O.C.G.A. §§ 9-11-26 and 9-11-34, and hereby demands that Defendant **Holly LaBerge**, in her Official capacity as Executive Secretary of the Georgia Government Transparency and Campaign Finance Commission ("Defendant" or "Ms. LaBerge"), respond to Plaintiff Stacey Kalberman's First Requests For Production Of Documents and Things To Defendant Holly LaBerge by producing the requested documents to Plaintiff's counsel of record within thirty (30) days after service hereof at the offices of Plaintiff's counsel, Kimberly A. Worth, Joyce Thrasher Kaiser & Liss, LLC, Suite 2600, Five Concourse Parkway, Atlanta, Georgia 30328.

DEFINITIONS

- a) The terms “document” or “documents” shall mean any written, recorded, filmed, or graphic matter, whether produced, reproduced or on paper, cards, tapes, film, electronic facsimile, computer storage devices, or any other media, including but not limited to, memoranda, notes, minutes, records, employment files, case files, pleadings, photographs, slides, correspondence, telegrams, diaries, bookkeeping entries, financial statements, tax returns, checks, check stubs, reports, studies, charts, graphs, statements, notebooks, handwritten notes, applications, agreements, books, pamphlets, periodicals, appointment calendars, notes, records and recordings of oral conversations, work papers, and also including but not limited to, originals, drafts and all copies which are different in any way from the original whether by interlineations, receipt stamped, notations, indications of copies sent or received, or otherwise.
- b) The term “identify” when used with reference to a document or written communication shall mean to state the type of document or communication (e.g., memorandum, employment application, letter, handwritten notes, etc.) to state its date, to briefly describe its contents, to identify the author (and if different, the originator or signer), and to identify the person (or, if widely distributed, the organization or classes of persons) to whom the document or communication was sent. You may produce the document or written communication in lieu of identifying it.
- c) The terms “you” and “your” refer without limitation to Defendant Holly LaBerge, in her Official capacity as Executive Secretary of the Georgia Government Transparency and Campaign Finance Commission; her attorneys and agents; and all persons acting on her behalf.

- d) The terms “Defendant Commission” and “Commission” refer without limitation to Defendant Georgia Government Transparency and Campaign Finance Commission, its attorneys and agents, and all persons acting on its behalf, including without limitation its employees.
- e) The terms “Defendant Millsaps” and “Millsaps” refer without limitation to Defendant Patrick Millsaps, his attorneys and agents, and all persons acting on his behalf.
- f) “Defendants” shall refer to you, the Commission and Defendant Millsaps.
- g) “Personal E-mail Account” shall refer to any e-mail account that you possess or use (e.g. Gmail, Hotmail, Yahoo!, AOL, etc.) other than the e-mail account assigned to you and maintained by the Commission and/or the State of Georgia.
- h) “Commission E-mail Account” shall refer to any e-mail account assigned to you and maintained by the Commission and/or the State of Georgia.
- i) The conjunctions “and” and “or” shall be interpreted conjunctively and shall not be interpreted disjunctively so as to exclude any information otherwise within the scope of this discovery.
- j) “Involving” and the derivatives thereof, means involving, including, summarizing, recording, containing, listing, pertaining, concerning, comprising, consisting, addressing, describing, mentioning, referring or reflecting.

REQUESTS TO PRODUCE

1.

Please produce any and all documents identified or otherwise referred to in your responses to Plaintiff Stacey Kalberman’s First Continuing Interrogatories to Defendant Holly LaBerge served concurrently herewith.

2.

Please produce any and all correspondence, including e-mails to and from your Personal E-mail Account(s) and/or your Commission E-mail Account(s), between yourself and any other person(s) (e.g., without limitation, Lisa Dentler, Elisabeth Murray-Oberteain) and/or entity(ies)/agency(ies)/department(s) of the government of the State of Georgia, concerning any issue relating to this lawsuit filed by Plaintiff, including correspondence pertaining to, without limitation, the Commission's budget, the Commission's investigation into alleged ethics violations by Nathan Deal (the "Deal Investigation"), the employment of Plaintiff and this resulting lawsuit, the employment of Sherilyn Streicker and her resulting lawsuit against Defendants, Defendant Millsaps' appointment to the Commission, Defendant Millsaps' role as Chair of the Commission, Defendant Millsaps' departure from the Commission, the manner in which Defendant Millsaps obtained his position with Mr. Newt Gingrich's presidential campaign, Randolph "Randy" Evans, Todd Markle, the State of Georgia Governor's Office, Deborah Wallace, and/or the Office of the State Inspector General and its investigation into Plaintiff's departure from the Commission.

3.

Please produce any and all correspondence, including e-mails to and from your Personal E-mail Account(s) and/or your Commission E-mail Account(s), between yourself and Elisabeth Murray-Oberteain referencing or relating to Ms. Murray-Oberteain's application and candidacy, her interviewing, and her subsequent hiring for the position of Staff Attorney at the Commission.

4.

Please produce any and all correspondence, including e-mails to and from your Personal E-mail Account(s) and/or your Commission E-mail Account(s), between yourself and Plaintiff.

5.

Please produce any and all correspondence, including e-mails to and from your Personal E-mail Account(s) and/or your Commission E-mail Account(s), between yourself and any employee or representative of the State of Georgia Governor's Office, since July 1, 2011.

6.

Please produce any and all documents in your possession, custody, or control relating to the budget of the Commission from July 1, 2011 through the present time.

7.

Please produce any and all documents, correspondence, or other records documenting or relating to communications between yourself and any representative of the media or press since July 1, 2011.

8.

Please produce any and all documents in your possession, custody, or control relating to your hiring as Executive Secretary of the Commission, including, without limitation, any and all correspondence between you and any member of the Commission regarding your candidacy for the position, any and all application materials that you submitted for the position, any and all documents and things evidencing, memorializing, or relating to any interviews in which you participated for or regarding the position, any résumé and/or curriculum vitae you submitted to the Commission, and/or any documents you submitted to the Commission evidencing your previous employment history and qualifications for the position of Executive Secretary.

9.

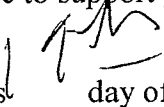
Please produce any and all documents, correspondence, or other records documenting your salary as Executive Secretary of the Commission from your date of hire through the present date.

10.

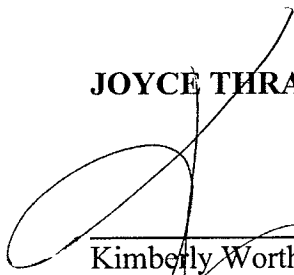
Please produce all documents showing political contributions made by you since 2008.

11.

Please produce all documents, electronically stored information, and tangible things that you may use to support your defense against Plaintiff's claims.

This  day of April, 2013.

JOYCE THRASHER KAISER & LISS, LLC


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Georgia Bar No. 119977

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