

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

SHERRY ELLEN STREICKER,

Plaintiff,

vs.

GEORGIA GOVERNMENT
TRANSPARENCY AND
CAMPAIGN FINANCE
COMMISSION,

Defendant.

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Civil Action No.:
2012CV216254

**DEFENDANT'S RESPONSES AND OBJECTIONS TO PLAINTIFF'S
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

COMES NOW, The Georgia Government Transparency and Campaign Finance Commission, Defendant in the above-styled action, by and through its attorney of record, the Attorney General for the State of Georgia, and serves its Responses and Objections to Plaintiff's First Request for Production of Documents to Defendant as follows.

PRELIMINARY STATEMENT

A. These responses are based upon and therefore, limited by records and information in existence, presently recollected, and thus far discovered in the course of preparing these responses. Defendant reserves the right to make changes

to these responses if it appears at any time that inadvertent errors or omissions have been made or additional or more accurate information has become available.

B. No incidental or implied admission of fact by the Defendant is made by the responses indicated below. The fact that Defendant has produced any document requested herein may not be taken as an admission that Defendant accepts or admits the existence of any fact set forth or assumed by such requests, or that response constitutes admissible evidence. Defendant's response to any request is not intended to, nor shall it be considered as a waiver by Defendant of any objections to any request made by Plaintiff.

C. These responses are based upon the ordinary meaning of words used in the requests.

D. The information supplied in these responses is based upon the knowledge, information and belief of the Defendant, and includes knowledge of the parties, their agents, representatives and attorneys. The work usage and sentence structure may be that of the attorney assisting in the preparation of the responses and thus does not necessarily purport to be the precise language of the Defendant or any of its agents or representatives.

GENERAL OBJECTIONS

Defendant objects generally to these requests on the following grounds:

1.

Defendant objects to the Plaintiff's requests to the extent that they attempt to impose obligations upon Defendant beyond the requirements of the Georgia Rules of Civil Procedure.

2.

Defendant objects to the extent that these requests are not limited by time to the period relevant to this litigation on the grounds that they are overly broad and are not reasonably calculated to lead to the discovery of admissible or relevant evidence.

3.

Defendant objects to the extent that these requests seek to be exhaustive on the grounds that they are overly broad and not reasonably calculated to lead to the discovery of admissible or relevant evidence.

4.

Defendant objects to the Plaintiff's requests to the extent that they call for production of documents not in the custody, control or possession of the Defendant and to the extent that they seek the production of documents that are more than or as readily available to Plaintiff as Defendant.

5.

Defendant objects to Plaintiff's requests to the extent that they seek documents protected by the attorney/client privilege, documents prepared in anticipation of litigation or which are protected by the work product doctrine.

6.

Defendant objects to Plaintiff's requests to the extent that they seek documents which contain information about third-parties and which are protected by confidentiality statutes related to student records and/or the privilege and confidentiality between psychologist and patient.

7.

Defendant objects to the Plaintiff's discovery requests to the extent that they attempt to stipulate words to have definitions other than their ordinary meaning.

RESPONSES TO REQUESTS

Request No. 1

All documents concerning the employment of Sherry Ellen Streicker with Defendant, including:

- (a) Ms. Streicker's personnel file;
- (b) A job description for her position of Deputy Executive Secretary;
- (c) All performance appraisals, reviews, notes, meeting minutes, memoranda, and correspondence between anyone concerning Plaintiff's job performance of the duties of her position, and all other documents concerning her job performance;
- (d) All documents concerning Ms. Streicker's work assignments;
- (e) All documents concerning the decision to terminate her employment.

Response to Request No. 1

Documents responsive to this request have been produced on the disc accompanying these responses and marked as “Documents in response to Plaintiff’s (Sherilyn Streicker) First Request for Production of Documents Produced by: Georgia Government Transparency and Campaign Finance Commission.”

Request No. 2

All documents concerning the budget of the Defendant, including all reports, analyses, compilations, spreadsheets, charts, projections, or other documents reflecting the funding of the Defendant and its expenditures, between the fiscal year that includes January 1, 2009 through the present.

Response to Request No. 2

Documents responsive to this request have been produced on the disc accompanying these responses and marked as “Documents in response to Plaintiff’s (Sherilyn Streicker) First Request for Production of Documents Produced by: Georgia Government Transparency and Campaign Finance Commission.”

Request No. 3

All documents constituting communications between any employees of the Defendant and anyone else concerning the Defendant’s budget or fiscal expenditures between January 1, 2009 and the present.

Response to Request No. 3

Documents responsive to this request have been produced on the disc accompanying these responses and marked as “Documents in response to Plaintiff’s (Sherilyn Streicker) First Request for Production of Documents Produced by: Georgia Government Transparency and Campaign Finance Commission.”

Request No. 4

All documents that the defendant contends support the Defendant’s purported need in June of 2011 to reduce the salary of Stacey Kalberman and terminate the employment of Sherry Ellen Streicker.

Response to Request No. 4

Documents responsive to this request have been produced on the disc accompanying these responses and marked as “Documents in response to Plaintiff’s (Sherilyn Streicker) First Request for Production of Documents Produced by: Georgia Government Transparency and Campaign Finance Commission.”

Request No. 5

All documents concerning the reduction of Stacey Kalberman’s salary and/or the termination of Sherry Ellen Streicker’s employment, including notes, meeting minutes, memoranda, and correspondence between anyone concerning the reduction of Stacey Kalberman’s salary and/or the termination of Sherry Ellen Streicker’s employment.

Response to Request No. 5

Documents responsive to this request have been produced on the disc accompanying these responses and marked as “Documents in response to Plaintiff’s (Sherilyn Streicker) First Request for Production of Documents Produced by: Georgia Government Transparency and Campaign Finance Commission.”

Request No. 6

All documents concerning the decision by the Defendant to create and fill the position of Staff Attorney that was ultimately filled by Elisabeth Murray-Obertein, including all notes, memoranda, and communications between anyone concerning the need for the position and the ability to fund its salary.

Response to Request No. 6

Documents responsive to this request have been produced on the disc accompanying these responses and marked as “Documents in response to Plaintiff’s (Sherilyn Streicker) First Request for Production of Documents Produced by: Georgia Government Transparency and Campaign Finance Commission.”

Request No. 7

All documents concerning all applicants for the position of Staff Attorney with the Defendant that was ultimately filled by Elisabeth Murray-Obertein, including all applications, all notes or memoranda concerning all applicants, and all communications between anyone concerning all applicants.

Response to Request No. 7

Documents responsive to this request have been produced on the disc accompanying these responses and marked as “Documents in response to Plaintiff’s (Sherilyn Streicker) First Request for Production of Documents Produced by: Georgia Government Transparency and Campaign Finance Commission.”

Request No. 8

All documents concerning the Defendant’s decision not to interview Sherry Ellen Streicker for the position of Staff Attorney that was ultimately filled by Elisabeth Murray-Obertein, including all notes or memoranda concerning Ms. Streicker’s applications for the position and all communications between anyone concerning Ms. Streicker’s application.

Response to Request No. 8

Defendant is not in possession of any documents meeting the description set forth in Request No. 8.

Request No. 9

All documents concerning the Defendant’s decision to hire Elisabeth Murray-Obertein for the position of Staff Attorney, including all notes or memoranda concerning her application, interview(s), or submission of materials in connection with the application, and all communications between anyone concerning the same.

Response to Request No. 9

Defendant is not in possession of any documents meeting the description set forth in Request No. 9.

Request No. 10

All documents concerning the violation of any law, rule, or regulation by Georgia Governor Nathan Deal at any time, including all complaints filed with the Defendant, all files concerning the investigation of such complaints, and all documents obtained as part of such investigations.

Response to Request No. 10


Documents responsive to this request have been produced on the disc accompanying these responses and marked as “Documents in response to Plaintiff’s (Sherilyn Streicker) First Request for Production of Documents Produced by: Georgia Government Transparency and Campaign Finance Commission.”

Respectfully submitted this 28th day January, 2013.

SAMUEL S. OLENS 551540
Attorney General

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CERTIFICATE OF SERVICE

I hereby certify that on January 28, 2013, I served the foregoing
**DEFENDANT'S RESPONSES AND OBJECTIONS TO PLAINTIFF'S
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS** upon opposing
counsel in this case by sending a copy via the United States Mail with adequate
postage affixed and addressed as follows:

Cheryl B. Legare
Brian J. Sutherland
Edward D. Buckley
Buckley & Klien, LLP
Promenade II, Suite 900
1230 Peachtree Street, NE
Atlanta, Georgia 30309

This 28th day of January, 2013.



Bryan K. Webb
Senior Assistant Attorney General
State Bar No.: 743580
Counsel for Defendant