

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION  
CIVIL ACTION NO.: 2:04-1373-23BG

LEE KENT HEMPFLING, )  
)  
Plaintiff, )  
)  
vs. )  
)  
L.M. COMMUNICATIONS, INC., a Kentucky, )  
Corporation; L.M. COMMUNICATIONS OF )  
SOUTH CAROLINA, INC., a Kentucky )  
Corporation; and L.M. COMMUNICATIONS )  
II OF SOUTH CAROLINA, INC., a Kentucky )  
Corporation, )  
)  
Defendants. )

**DEFENDANTS' FIRST SET OF  
REQUESTS FOR PRODUCTION**

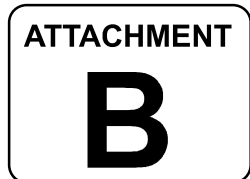
TO: LEE KENT HEMPFLING, *Appearing Pro Se*:

The above-named Defendants, pursuant to FRCP 34, requests that Plaintiff produce the documents specified herein, and allow defendants to inspect and copy the documents, within thirty days of service of these requests, at the offices of Buist, Moore, Smythe & McGee, P.A., 5 Exchange Street, Charleston, SC 29402.

**DEFINITIONS: (As Used Herein)**

1. The word "person" means any natural person, firm or corporation, partnership, joint venture or any other form of business entity.
2. A request for the location of documents constitutes a request to state the present address at which such documents are kept, if known, and, if not known, the last address known and information as to their deposition.

{00633313.}



3. A request for the identity of a person constitutes a request for his (or her) name, his (or her) present business address and telephone number, if known, and if not known, his (or her) last known business and residence address.

4. "Custodian" means the person who has possession or control of documents and a request for the identity of a custodian constitutes a request for his name and address.

5. The pronoun "you" refers to the party or parties to whom these Interrogatories are addressed and to its or their subsidiaries, officers, employees, representatives, agents and, unless privileged, its or their attorneys.

6. The term "documents" means all writings and amendments of any kind including the originals and all non-identical copies whether different from the original by reason of any notation made on such copies or otherwise, including, without limitations, correspondence, memoranda, notes, diaries, statistics, letters, application for jobs, medical records, telegrams, reports, studies, checks, statements, receipts, returns, summaries, pamphlets, books, offers, notations of any sort of conversations, telephone calls, meetings, or other communications, and all drafts, alterations, modifications, changes and amendments of any of the foregoing, graphic or aural records, or representatives of any kind including, without limitations photographs, charts, microfilm, videotape, recordings, and motion pictures and electronic, mechanical or electrical records or representations of any kind, including, without limitation, tapes, cassettes, discs, or other recordings.

7. The term "all documents" means every document as above defined known to you and each document which can be located or discovered by reasonably diligent efforts.

8. If any document requested is not being produced on the basis of privilege or for any other reason, please provide a list of such documents giving the nature of the document, the

date of origination, the author of the document, the person to whom the document was addressed, and the reason for not producing the document for inspection.

### **REQUESTS FOR PRODUCTION**

**REQUEST NO. 1:** Documents, data compilations and tangible things in your possession, custody or control that are relevant to the claims in your complaint or other facts alleged with particularity in the pleadings.

**REQUEST NO. 2:** Documents in your possession, custody or control concerning or relating to any damages you allege you have sustained as a result of alleged conduct by defendant.

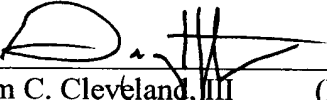
**REQUEST NO. 3:** Documents evidencing your earnings (including unemployment compensation) from February 1, 1992 to the present, including tax returns, payroll stubs, canceled checks, and W-2 forms.

**REQUEST NO. 4:** Documents in your possession or control that relate in any way to your efforts, from July 23, 2002, to the present, to locate and obtain employment.

**REQUEST NO. 5:** Documents identified in response to, or used to formulate your responses to, Defendant's First Interrogatories to Plaintiff.

**REQUEST NO. 6:** Any documents (including any notes or correspondence) relating to any communication you have had with or relating to defendant.

This Request for Production shall be deemed continuing so as to require supplementation of responses if you or your attorneys obtain further information between the time answers are served and the time of trial, in accordance with the Federal Rules of Civil Procedure.

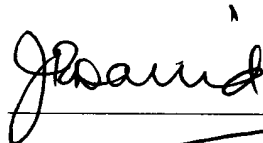
<p>Charleston, South Carolina November <u>4<sup>th</sup></u>, 2004</p>	<p>BUIST MOORE SMYTHE McGEE P.A.</p>  <p>William C. Cleveland, III (Fed. ID #0179) L. Gregory Horton (Fed. ID #7103) 5 Exchange Street, Post Office Box 999 Charleston, SC 29402-0999 (843) 722-3400 ATTORNEYS FOR DEFENDANTS</p>
--	---

**CERTIFICATE OF SERVICE**

It is hereby certified that a true and correct copy of the foregoing **DEFENDANTS' FIRST SET OF REQUESTS FOR PRODUCTION** has been served by depositing the same on the 4<sup>th</sup> day of November, 2004, via FedEx addressed to:

Lee Kent Hempfling, Plaintiff  
11329 E. Caballero Street  
Mesa, AZ 85207  
480-332-1535  
*Appearing Pro Se*

BUIST, MOORE, SMYTHE & MCGEE, P.A.



---