

IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

PATRICK MATTHEWS BOGART
and BENJAMIN KURTZ,

Plaintiffs,

v.

CARDEROCK SPRINGS CITIZENS
ASSOCIATION, INC.,

Defendant.

Civil Case No. 273518-V

REQUEST FOR PRODUCTION OF DOCUMENTS

Defendant, Carderock Springs Citizens Association, Inc., by its undersigned attorney, John F. McCabe, Jr., hereby requests, pursuant to the Maryland Rules, that the Plaintiffs, Patrick Matthews Bogart and Benjamin Kurtz, produce and make available for inspection and copying on Monday, October 23, 2006, at 9:30 a.m., at the law offices of Chen, Walsh, Tecler & McCabe, LLP, 200A Monroe Street, Suite 300, Rockville, Maryland, all documents within their possession (*note* Instruction j.), custody, or control as specified below.

Plaintiffs may comply with this request by providing copies of said documents before the above date. However, the Defendant reserves the right to have the original of any document enumerated in this request inspected by an expert.

INSTRUCTIONS AND DEFINITIONS

a. The copies of the documents produced pursuant to this request should be organized and labeled to correspond with the categories in the requests to which they are responsive as required by Maryland Rule 2-422(d).

b. This request covers all documents in the possession of the Plaintiff Patrick Matthews Bogart, or subject to his custody and control, whether the documents are located in his home, office, or the offices of his agents, attorneys, or otherwise, or any other custodian or location.

c. As used in this request, the term "documents" means, without limitation, the following items, whether printed or recorded or reproduced by any mechanical or photographic process, or written or produced by hand or printing press or machine; agreements; communications; contracts; reports; correspondence; telegrams; memoranda; summaries or records of telephone conversations or teleconferences; summaries or records of personal conversations, meetings, or interviews; summaries, records, or notes of meetings, conferences, or teleconferences; summaries, reports, or notes of investigations or negotiations; diaries; graphs, computer printouts; computer disks, tapes, or other computerized material; notebooks; note charts; plans; drawings; sketches; maps; opinions or reports of consultants, auditors or other experts; photographs, slides; motion picture films; photographic negatives; brochures; pamphlets; advertisements; circulars; press releases; drafts; letters; appointment books; calendars; desk pads; logs; minutes of meetings; invoices; credits; debits; transcripts; checks; entries in books of account;

ledgers; any marginal comments or notes appearing on any document; and any other writings.

d. Where a particular document is described, *e.g.*, agreements, contracts, letters, *etc.*, such description shall be deemed to include any and all preliminary drafts, circulating drafts and other drafts of such documents including the final draft, if any.

e. If any document requested is not produced due to a claim of privilege (privilege as used herein shall include work product), identify the specific privilege claimed, each such document should be adequately described, and the factual basis for the claim of privilege stated in the response. Documents shall be deemed to have been adequately listed and described when the following information is provided in the response:

(1) The place, approximate date, and manner of preparation of the document;

(2) The name of each person, including stenographic or clerical assistants, participating in the preparation of the document;

(3) The name and corporate position, if any, of each person, other than the Defendants' attorneys, to whom the contents of the document have been communicated by draft, copy, blind copy, exhibition, reading, reference, or substantial summarization; and

(4) The nature of the document and a brief description of its subject matter.

f. To the extent any request is objected to on grounds other than privilege, the specific grounds for objection should be identified, including the factual basis for the objection. If an objection is to *part* of a request, produce all documents that are *not* subject to the objection.

g. Where a complete production to a particular document is not possible, the production should be made to the extent possible and the response should indicate why only partial production could be made.

h. If any requested document was, but is no longer in your possession or subject to your custody or control, state what disposition was made of it.

i. This request includes the production of all nonidentical copies, including drafts and copies upon which notes or comments have been made.

j. The pronoun "you" or "your" refer to the party to whom this request is directed, as well as to any of the party's agents or authorized representatives, including attorneys.

k. This Document Production Request is continuing in nature, and requires supplemental production of all requested documents which are found or generated or which otherwise come into your possession and/or under your custody or control.

DOCUMENTS TO BE PRODUCED

1. All written reports of each person whom you expect to call as an expert witness at trial.

2. The most recent resume of each expert whom you expect to call as an expert witness at trial.

3. Any documents relating to fees, charged by the expert Plaintiff intends to call as an expert witness at trial.

4. All documents, including any appraisals that substantiate Plaintiffs' claim for damage, costs and attorney's fees.

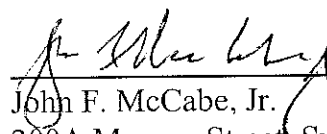
5. Any title insurance policy received by Plaintiffs or in Plaintiffs' possession or control pertaining to the property which is the subject of this action.

6. All documents relied upon by Plaintiffs in answering Interrogatories served upon them.

7. Copies of any building permits and other State and County approvals you have obtained for your proposed changes or modifications.

8. Copies of any applications you have filed with Montgomery County, the Montgomery County Board of Appeals or other agencies regarding your proposed changes and modifications.

Respectfully submitted,

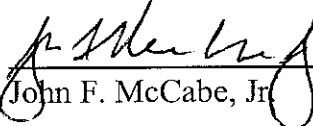


John F. McCabe, Jr.
200A Monroe Street, Suite 300
Rockville, Maryland 20850
(301) 279-9500

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on 18th day of September, 2006, a copy of the foregoing "Request for Production of Documents" was mailed via first-class mail, postage prepaid, to:

Samuel D. Williamowsky, Esq.
VanGrack, Axelson, Williamowsky
Bender & Fishman, P.C.
401 North Washington Street, Suite 550
Rockville, MD 20850



John F. McCabe, Jr.