

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

BETH SAFFER and ARTHUR ROBINS,
individually and on behalf of others similarly
situated,

Plaintiff,

Case No.: 50-2023-CA-015733

v.

SANDRA KLIMAS, an individual;
ROBERT THOM aka ROB THOM, an
individual; ANTHONY DiGENNARO, an
individual; and ROBERT STERN aka BOB
STERN, an individual,

Defendants.

**DEFENDANT ROBERT THOM'S FIRST SET OF REQUESTS FOR PRODUCTION
DIRECTED TOWARDS PLAINTIFFS**

Defendant ROBERT THOM (hereinafter "THOM" and/or "Defendant"), by and through
her undersigned counsel and pursuant to Fla. R. Civ. P. 1.350, hereby serves her First Set of
Requests for Production upon Plaintiff, to be answered within thirty (30) days:

INSTRUCTIONS FOR USE

1. If in your possession, custody, or control, produce the originals of all documents called for, as well as any and all copies of the documents which bear any mark or notation, not present on the original.
2. Each document produced in response to this Request for Production shall be individually bated stamped.
3. In producing documents called for, segregate the documents so as to identify the numbered request to which each such document(s) responds by reference to bated stamp. Each request shall be responded to separately and directly, and the associated bated stamped document(s) shall be referenced in each response.
4. If you once had any documents called for herein which have since been destroyed or otherwise disposed, please indicate, and describe the documents by date, author(s), address(es), and general subject matter.

5. If you once had any documents called for herein, but no longer do, so indicate and describe the documents by date, author(s), address(es), and general subject matter, and indicate the name and address of the person or entity who has possession, control or custody, or who was last known to have possession, control or custody of the document.
6. This request is a continuing request for all documents that are now or may hereafter come into Plaintiff's actual or constructive possession, custody or control and shall include documents generated, created, prepared, or received during the period of this request, through the date of compliance with this request or trial, whichever is later, unless otherwise stated.
7. For each such document that is responsive to this request, and which is sought to be withheld under a claim of privilege, the following information shall be provided:
 - A. The place, date (or approximate date) and the manner of record or otherwise preparing of the document;
 - B. The name and title of the sender and the name and title of the recipient of the document;
 - C. A description of the subject of the document;
 - D. The identity of each person or persons (other than stenographic or clerical assistance) participating in the preparation of the documents;
 - E. The identity of each person to whom the contents of the document have heretofore been communicated by copy, exhibition, sketch, reading or substantial summarization, the dates of such said communication, and the employer and title of the person at the time of said communication;
 - F. A statement of the basis on which privilege is claimed; and
 - G. The identity and title of the person or persons supplying Plaintiff's attorney with the information requested in subsections (i) through (vii) above.
8. When a document contains both privileged and non-privileged material, the nonprivileged material must be disclosed to the fullest extent possible without thereby disclosing the privileged material. If a privilege is asserted with regard to part of the material contained in a document, the party claiming the privilege must clearly indicate the portions as to which the privilege is claimed. When a document has been redacted or altered in any fashion, identify as to each document the reason for the redaction or alteration, the date of the redaction or alteration, and the person performing the redaction or alteration. Any redaction must be clearly visible on the redacted document.
9. All documents produced in response to this request shall be produced in total notwithstanding the fact that portions may contain information not requested.

10. For any documents that are stored or maintained in files in the normal course of business, such documents shall be produced in such files, or in such a manner so as to preserve and identify the file from which such documents were taken.
11. The plural shall include the singular and the singular shall include the plural.

DEFINITIONS

1. The term “person” or “entity” means any natural person, individual, proprietorship, partnership, corporation, association, organization, joint venture, firm, other business enterprise, governmental body, group of natural persons or other entity.
2. The term “document” means any written or graphical matters, or other means of preserving thought or expression, and all tangible things from which information can be processed or transcribed, including the originals and all non-identical copies, whether differing from the original by reason of any notation made on such copy or otherwise, including, but not limited to, correspondence, memoranda, analyses, notes, messages, letters, e-mails, telegrams, telefaxes, bulletins, meetings or other communications, telephone calls, diaries, chronological data, minutes, books, reports, studies, summaries, pamphlets, printed matter, charts, ledgers, invoices, worksheets, receipts, returns, computer printouts prospectuses, financial statements, schedules, affidavits, contracts, cancelled checks, statements, transcripts, surveys, magazine or newspaper articles, releases (any and all drafts, alterations and modifications, changes and amendments of any of the foregoing), graphic or aural records or representations of any kind (including, without limitation, photographs, charts, graphs, microfiches, microfilm, videotape, recordings and motion pictures) and electronic, mechanical or electric recordings or representations of any kind (including, without limitation, tapes, cassettes, compact discs, digital video discs, floppy disks, computer hard drives, records and tapes).
3. The term “representative of” means any member, authorized agent, or person acting on behalf of the Plaintiffs who these requests are directed towards.
4. The terms “and” and “or” as used herein, are either conjunctive or disjunctive, as the context of the request may require.
5. All singular words include the plural and all plural words include the singular, as the context of the request may require.
6. All words in the present tense include the past tense, and all words in the past tense include the present tense, as the context of the request may require.
7. The term “Complaint” and/or “Lawsuit” shall mean all pleadings and complaints filed by Plaintiffs in the current matter, case style *Saffer, et al. v. Klimas, et al*, Case No. 502023CA015733XXXAMB filed in the Circuit Court of the 15th Judicial Circuit in and for Palm Beach County, Florida.

8. Unless otherwise specified below, each specific request pertains to the time period relevant to the Complaint, including January 1, 2019, and up to and including the present day.

DOCUMENTS TO BE PRODUCED

1. Any and all documents that support your general allegation that Robert Thom committed theft of money held for the benefit of Number 2 Condominium Association – Palm Greens at Villa Del Ray, Inc.
2. Any and all documents that support your general allegation that Robert Thom committed theft of money held for the benefit of Number 1 Condominium Association – Palm Greens at Villa Del Ray, Inc.
3. Any and all documents that support your general allegation that Robert Thom committed theft of money held for the benefit of Palm Greens at Villa Del Ray Recreation Condominium Association, Inc.
4. Any and all documents that support your general allegation that Robert Thom misused funds held for the benefit of Number 2 Condominium Association – Palm Greens at Villa Del Ray, Inc.
5. Any and all documents that support your general allegation that Robert Thom misused funds held for the benefit of Number 1 Condominium Association – Palm Greens at Villa Del Ray, Inc.
6. Any and all documents that support your general allegation that Robert Thom misused funds held for the benefit of Palm Greens at Villa Del Ray Recreation Condominium Association, Inc.
7. Any and all documents that support your general allegation that Robert Thom has hid, or is currently hiding, prior and ongoing mismanagement and malfeasance that impacted Number 2 Condominium Association – Palm Greens at Villa Del Ray, Inc.
8. Any and all documents that support your general allegation that Robert Thom has hid, or is currently hiding, prior and ongoing mismanagement and malfeasance that impacted Number 1 Condominium Association – Palm Greens at Villa Del Ray, Inc.
9. Any and all documents that support your general allegation that Robert Thom has hid, or is currently hiding, prior and ongoing mismanagement and malfeasance that impacted Palm Greens at Villa Del Ray Recreation Condominium Association, Inc.
10. Any and all documents that support your general allegation that Robert Thom has imposed any illegal or unlawful assessments that impacted Number 2 Condominium Association – Palm Greens at Villa Del Ray, Inc.

11. Any and all documents that support your general allegation that Robert Thom has imposed any illegal or unlawful assessments that impacted Number 1 Condominium Association – Palm Greens at Villa Del Ray, Inc.
12. Any and all documents that support your general allegation that Robert Thom has imposed any illegal or unlawful assessments that impacted Palm Greens at Villa Del Ray Recreation Condominium Association, Inc.
13. Any and all documents that support your general allegation that individuals within the Palm Greens community are having to “liquidate” their homes.
14. Any and all documents that support your general allegation that Robert Thom has engaged in “malfeasance.”
15. Any and all documents that support your general allegation that Robert Thom has, or is in the process of, appropriating millions of dollars of assets that impact Number 2 Condominium Association – Palm Greens at Villa Del Ray, Inc.
16. Any and all documents that support your general allegation that Robert Thom has, or is in the process of, appropriating millions of dollars of assets that impact Number 1 Condominium Association – Palm Greens at Villa Del Ray, Inc.
17. Any and all documents that support your general allegation that Robert Thom has, or is in the process of, appropriating millions of dollars of assets that impact Palm Greens at Villa Del Ray Recreation Condominium Association, Inc.
18. Any and all documents that support your general allegation that Robert Thom has, or is in the process of, appropriating millions of dollars of assets that impact Plaintiffs and the putative class members.
19. Any and all documents that support your general allegations that Robert Thom has engaged in threatening behavior towards Plaintiffs or any putative class members.
20. Any and all documents that support your general allegations that Robert Thom has acted maliciously towards Plaintiffs or any putative class members.
21. Any and all documents that support your general allegations that Robert Thom has taken any action to attempt and relinquish the legal rights held by Plaintiffs and/or any putative class members.
22. Any and all email correspondence’s that have been sent by Robert Thom.
23. Any and all documents that support your general allegation that the November 16, 2023 meeting held by the Number 2 Condominium Association – Palm Greens at Villa Del Ray, Inc. Board of Directors was held in violation of any relevant Governing Documents or Florida Statutes.

24. Any and all documents supporting your general allegation that Robert Thom has stifled and/or prevented Number 2 Condominium Association – Palm Greens at Villa Del Ray, Inc. from initiating a lawsuit against Lennar Homes.
25. Any and all documents supporting your general allegation that Robert Thom has stifled and/or prevented Number 1 Condominium Association – Palm Greens at Villa Del Ray, Inc. from initiating a lawsuit against Lennar Homes.
26. Any and all documents supporting your general allegation that Robert Thom has stifled and/or prevented Palm Greens at Villa Del Ray Recreation Condominium Association, Inc.
27. Any and all documents supporting your general allegation that the property values in the Palm Greens Community have depreciated.
28. Any and all documents supporting your general allegations that Robert Thom has caused the property values in the Palm Greens Community to depreciate.
29. Any and all invoices that you believe had been fraudulently created that have been paid by the Number 2 Condominium Association – Palm Greens at Villa Del Ray, Inc.
30. Any and all invoices that you believe had been fraudulently created that have been paid by the Number 1 Condominium Association – Palm Greens at Villa Del Ray, Inc.
31. Any and all invoices that you believe had been fraudulently created that have been paid by the Palm Greens at Villa Del Ray Recreation Condominium Association, Inc.
32. Any and all documents supporting your general allegation that Robert Thom was involved in the preparation or payment of phony/fraudulent invoices submitted to Number 2 Condominium Association – Palm Greens at Villa Del Ray, Inc.
33. Any and all documents supporting your general allegation that Robert Thom was involved in the preparation or payment of phony/fraudulent invoices submitted to Number 1 Condominium Association – Palm Greens at Villa Del Ray, Inc.
34. Any and all documents supporting your general allegation that Robert Thom was involved in the preparation or payment of phony/fraudulent invoices submitted to Palm Greens at Villa Del Ray Recreation Condominium Association, Inc.
35. Any and all financial opinions supporting your general allegation that Number 2 Condominium Association – Palm Greens at Villa Del Ray, Inc. will need to double its annual assessments in the future.
36. Any and all documents supporting your general allegation that Robert Thom is involved in a civil conspiracy.

37. Any and all documents supporting your general allegation that Robert Thom is illegally asserting control of more than \$500,000.00 in funds that is meant for the benefit of Number 2 Condominium Association – Palm Greens at Villa Del Ray, Inc.
38. Any and all documents supporting your general allegation that Robert Thom is illegally asserting control of more than \$500,000.00 in funds that is meant for the benefit of Number 1 Condominium Association – Palm Greens at Villa Del Ray, Inc.
39. Any and all documents supporting your general allegation that Robert Thom is illegally asserting control of more than \$500,000.00 in funds that is meant for the benefit of Palm Greens at Villa Del Ray Recreation Condominium Association, Inc.
40. Any and all documents supporting your general allegation that Robert Thom is illegally asserting control of more than \$500,000.00 in funds that is meant for the benefit of Plaintiffs and/or the putative class members.
41. Any and all documents supporting your general allegation that Robert Thom is illegally asserting control parcels of real estate meant for the benefit of Number 2 Condominium Association – Palm Greens at Villa Del Ray, Inc.
42. Any and all documents supporting your general allegation that Robert Thom is illegally asserting control parcels of real estate meant for the benefit of Number 1 Condominium Association – Palm Greens at Villa Del Ray, Inc.
43. Any and all documents supporting your general allegation that Robert Thom is illegally asserting control parcels of real estate meant for the benefit of Palm Greens at Villa Del Ray Recreation Condominium Association, Inc.
44. Any and all documents supporting your general allegation that Robert Thom is illegally asserting control parcels of real estate meant for the benefit of Plaintiffs and/or the putative class members.
45. Any and all documents supporting your general allegation that Robert Thom owed a fiduciary duty to Number 1 Condominium Association – Palm Greens at Villa Del Ray, Inc.
46. Any and all documents supporting your general allegation that Robert Thom owed a fiduciary duty to Palm Greens at Villa Del Ray Recreation Condominium Association, Inc.
47. Any and all documents supporting your general allegation that Robert Thom has secretly forced votes and compliance from entities she does not control to harm Plaintiffs and/or putative class members.
48. Any and all documents supporting your general allegation that Lennar Homes is violating its development agreement.

49. Any and all documents supporting your general allegation that Robert Thom has an ongoing policy or practice to squeeze elderly citizens out of their house.
50. Any and all documents supporting your general allegation that Robert Thom has violated Florida's Deceptive and Unfair Trade Practices Act.
51. Any and all documents supporting the general allegation that Plaintiffs have suffered any damages as a result of any action or inaction by Robert Thom.
52. Any and all documents supporting the general allegation that Robert Thom has been unjustly enriched.
53. Any and all documents supporting the general allegation that Robert Thom has intentionally concealed material facts from Plaintiffs and/or putative class members.
54. Any and all written statements authored by Robert Thom concerning the subject matter of this Litigation.
55. Any and all documents supporting the general allegation that Robert Thom stripped title to more than \$1,000,000.00 worth of property held by the benefit of Plaintiffs and/or putative class members.
56. Any and all secret proxies, as generally alleged in this Litigation.
57. Any and all documents support the general allegation that Robert Thom has caused Plaintiff's and the putative class members' legal rights to be waived or otherwise compromised.
58. Any and all documents supporting the general allegation that Robert Thom has caused Number 1 Condominium Association – Palm Greens at Villa Del Ray, Inc. to suffer any damages.
59. Any and all documents supporting the general allegation that Robert Thom has caused Number 2 Condominium Association – Palm Greens at Villa Del Ray, Inc. to suffer any damages.
60. Any and all documents supporting the general allegation that Robert Thom has caused Palm Greens at Villa Del Ray Recreation Condominium Association, Inc.
61. Any and all documents supporting the general allegation that Robert Thom has caused Plaintiffs to suffer any damages.
62. Any and all documents supporting the general allegation that Robert Thom has caused the putative class members Plaintiffs purport to represent to suffer any damages.

63. Any and all draft versions of e-mail blasts sent by the Palm Greens at Villa Del Ray Recreation Condominium Association, Inc. since July 1, 2023.
64. Any and all e-mail correspondences with any persons discussing prospective e-mail blasts sent by Palm Greens at Villa Del Ray Recreation Condominium Association, Inc. concerning this litigation.
65. Any and all correspondence between Arthur Robins and Mitchal J. Stein.
66. Any and all correspondence between Beth Shaffer and Mitchal J. Stein.
67. Any and all correspondence between Plaintiffs and putative class members.
68. Any and all correspondence authored by Plaintiffs concerning Robert Thom.
69. Any and all correspondence authored by Plaintiffs concerning this Lawsuit.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of February, 2024, a copy of the foregoing document was filed via Florida Court's E-Portal Filing service, which will transmit electronic copies to all counsel of record.

Respectfully submitted,

/s/Kevin Yombor

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