

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEROGIA  
ATLANTA DIVISION**

|                              |   |                       |
|------------------------------|---|-----------------------|
| ERIC WALSH,                  | ) |                       |
|                              | ) |                       |
| Plaintiff,                   | ) |                       |
|                              | ) |                       |
| v.                           | ) | CIVIL ACTION FILE NO. |
|                              | ) | 1:16-CV-01278-ODE-JCF |
| GEORGIA DEPARTMENT OF PUBLIC | ) |                       |
| HEALTH; <i>et al.</i>        | ) |                       |
|                              | ) |                       |
| Defendants.                  | ) |                       |
| _____                        | ) |                       |

**DEFENDANTS' FIRST REQUESTS FOR PRODUCTION OF  
DOCUMENTS TO PLAINTIFF**

Pursuant to Federal Rule of Civil Procedure 34, Defendants request that Plaintiff Eric Walsh respond to the following requests for production of documents by producing the requested documents for inspection to Defendants' counsel at the Office of the Attorney General, 40 Capitol Square, Atlanta, Georgia 30334-1300, within 33 days of the date of this request.

**I. INSTRUCTIONS**

These Requests shall be deemed continuing in the manner provided by law. Therefore, supplemental answers are required should additional facts or information requiring different answers be ascertained. Where knowledge or

information possessed or controlled by Plaintiff is requested or inquired about, such request or inquiry shall include knowledge or information possessed or controlled by Plaintiff's counsel, agents, servants, employees, representatives, private investigators, and all others who are in possession of or who may have obtained information for or on behalf of Plaintiff, as well as Plaintiff himself.

If you object to answering or fail to respond to any request on grounds of attorney/client privilege and/or the work-product doctrine, or any other claim of privilege, then as to such information or such documents allegedly subject to such asserted objections, you are requested to supply an identification of such information or such documents, in writing, with sufficient specificity to permit the Court to reach a determination in the event of a motion to compel as to the applicability of the asserted objection, together with an indication of the basis for the assertion of the objection based on attorney/client privilege and/or the work product doctrine, or any other claim of privilege.

## **II. DEFINITIONS**

A. "Plaintiff," "you" and "your" shall mean Eric Walsh, and all of his agents, employees, attorneys and/or representatives.

B. "Document" is intended to have the broadest permissible meaning under the Federal Rules of Civil Procedure and includes, without limitation, any

writing, communication, or other matter, printed, recorded, taped or electronically transmitted or stored, of whatever nature or whatever form, including all non-identical copies and drafts thereof and all copies bearing notations or marks not found on the original.

C. "Person," unless otherwise specified, means an individual, firm, partnership, corporation, proprietorship, association, governmental body, or any other organization or entity.

D. "Date" means the exact day, month and year, if ascertainable, or, if not, the best available approximation, including relationship to other events.

E. "Identify" shall mean the following: when used in reference to (1) an individual – means to state the full name, present or last known address (designating which), and present or last known employment address (designating which); (2) a firm, partnership, corporation, proprietorship, association, or other organization or entity – means to state its full name and present or last known address (designating which) and the legal form of such entity or organization; (3) a document – means to state (if known) the date, author, sender, recipient, identity or person(s) signing it, type of document (i.e., letter, memorandum, notation, book, telegram, chart, etc.) or some other means of identifying it, and its present location or custodian. In case of a document that was, but is no longer, in the possession,

custody or control of Plaintiff, state what disposition was made of it, why and by whom.

### **III. REQUESTS**

1.

Please produce all documents that you have provided to or received from the City of Pasadena, California regarding the investigation which led to you being placed on paid administrative leave.

2.

Please provide all documents regarding any administrative charge of discrimination or retaliation you have ever made.

3.

Please produce all diaries, notes, memoranda, calendars, letters, e-mails or other writings or recordings (audio or video), made or possessed by you that relate in any manner to any of the allegations in your First Amended Complaint and to any other matter encompassed by your First Amended Complaint, including damages.

4.

Please produce all documents (including but not limited to medical records, reports, physician's notes and charts, nurse's notes, medical bills, statements,

hospital records, psychiatric records, psychological records, counselor records and similar documents) that reflect any medical or health care services rendered to you that you contend were necessitated by any actions of Defendants. Instead of producing the documents, you may execute a release of medical and/or psychological records for each healthcare professional.

5.

Please produce all documents that reflect any financial or economic injuries that you contend were caused by any actions of Defendants.

6.

Please produce all documents that reflect any efforts you have made to mitigate your alleged damages.

7.

Please produce all documents that you contend support the allegations contained in your First Amended Complaint.

8.

Please produce all documents that you contend demonstrate that your right to freedom of speech has been violated by Defendants.

9.

Please produce all documents that you contend demonstrate that your right to freedom of association has been violated by Defendants.

10.

Please produce all documents that you contend demonstrate that your right to free exercise of religion has been violated by Defendants.

11.

Please produce all documents that you contend demonstrate that your right to be free from establishment of religion has been violated by Defendants.

12.

Please produce all documents that you contend demonstrate that you have been retaliated against by Defendants.

13.

Please produce all documents that you contend demonstrate that you was discriminated against based on your religion.

14.

Please produce all documents that you contend demonstrate that your right to equal protection has been violated by Defendants.

15.

Please produce all documents relating to your ministerial training and/or certifications.

16.

Please produce all documents relating to your service as a pastor, including, but not limited to, any contract you have or have had with the Seventh Day Adventist Church or any of its subsidiaries or affiliates.

17.

Please produce all agreements regarding the publication and/or online posting of your sermons, including, but not limited to, any information regarding any monetary remuneration from the publication.

18.

Please produce a copy of your sermon notes and/or transcripts.

19.

Please produce all documents relating to your DPH employment application and/or DPH's hiring process.





*Laura W. McDonald*

LAURA W. MCDONALD 681655  
Senior Assistant Attorney General

*Courtney C. Poole*

COURTNEY C. POOLE 560587  
Assistant Attorney General

Please address all  
communications to:

COURTNEY C. POOLE  
Assistant Attorney General

[Redacted]

Telephone: [Redacted]  
Facsimile: [Redacted]  
Email: [Redacted]


**CERTIFICATE OF SERVICE**

I do hereby certify that I have this day served the within and foregoing  
**DEFENDANTS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**  
**TO PLAINTIFF** by depositing a copy thereof, postage prepaid, in the United  
States Mail properly addressed upon the following:

Andrew Y. Coffman  
Parks Chesin and Walbert, P.C.  
75 14<sup>th</sup> Street, NE  
26<sup>th</sup> Floor  
Atlanta, Georgia 30309

Jeremy Dys  
Roger Byron  
First Liberty Institute  
Suite 1600  
2001 W. Plano Parkway  
Plano, Texas 75075

This 27th day of September, 2016.

  
\_\_\_\_\_  
Courtney C. Poole  
Attorney for Defendants