

EXHIBIT 5



► WASHINGTON DC

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CALIFORNIA

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VIA ELECTRONIC MAIL

July 19, 2019

Our File No. 474-01

Ryan J. Stonerock
Harder LLP
132 S. Rodeo Drive, Fourth Floor
Beverly Hills, CA 90212
RStonerock@harderllp.com

Dear Ryan:

Thank you for your response to my letter to Mr. Harder. Since you will not provide the information that we need voluntarily, we have prepared the attached discovery requests. Because discovery is suspended, we will need to ask the Court to reopen discovery for the limited purposes of allowing us to serve these requests. We will also need to ask the Court to adjourn the deadline for filing an amended pleading so that we can get responses to these discovery requests before we decide how to proceed.

Please advise whether you will consent to reopen discovery and to adjourn the current deadline. If not, please let me know when you can meet and confer sometime today or on Monday.

Regards,

A handwritten signature in black ink, appearing to read 'H. Zavareei', is written over a faint, larger version of the signature.

Hassan A. Zavareei

Enclosures

cc: Charles Harder, Esq.
Dawn Siler-Nixon, Esq.
Tracey Jaensch, Esq.
Jennifer Bennett, Esq.
Karla Gilbride, Esq.
Katherine Aizpuru, Esq.
Brian Warwick, Esq.
F. Paul Bland, Esq.
Janet Varnell, Esq.

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ALVA JOHNSON, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

Case No. 8:19-cv-00475-T-02SPF

DONALD J. TRUMP,
in his individual capacity and
DONALD J. TRUMP FOR
PRESIDENT, INC.,

Defendants.

**PLAINTIFF'S FOURTH REQUESTS FOR PRODUCTION OF DOCUMENTS
TO DEFENDANT DONALD J. TRUMP FOR PRESIDENT, INC.**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Plaintiff Alva Johnson hereby requests that Defendant Donald J. Trump for President, Inc. produce the documents and tangible things described below for inspection and copying, within thirty (30) days, at the office of Tycko & Zavareei LLP, 1828 L Street NW, Suite 1000, Washington, D.C. 20036.

I. DEFINITIONS

1. "Document" and "Documents" ("Document(s)") should be interpreted in their broadest possible sense within the meaning of Rule 34(a) of the Federal Rules of Civil Procedure and shall mean the complete original (or complete copy where the original is unavailable) and each non-identical copy (where different from the original because of notes made on the copy or otherwise) of any writing or record, as well as any attachment thereto or enclosure therewith. "Document(s)" includes all written, typewritten, handwritten, printed, computerized, electronically created or stored, or graphic matter of any kind or nature, however produced or reproduced; any form of collected data for use with electronic data processing equipment; any physical object or thing, and any mechanical or electronic visual or

sound recordings now or formerly in Defendant's possession, custody or control or known to Defendant regardless of physical location. "Document(s)" includes all materials and tangible objects conveying or carrying spoken, visual or literal substance, including papers, correspondence, records, tables, charts, analysis, graphs, schedules, reports, spreadsheets, memoranda, journals, notes, logs, calendars, appointment books, letters, telegrams, telecopy, telex and telefacsimile transmissions, messages, studies, books, periodicals, magazines, newspapers, booklets, advertisements, brochures, instructions, minutes, contracts, books of account, orders, invoices, statements, checks, bills, receipts, files, vouchers, notebooks, scrapbooks, data sheets, data processing cards, computer files, computer disks, computer printouts, "e-mail" messages, photographs, negatives, phone recordings, tape recordings, wire recordings, drawings, forms, catalogues, manuals, tabulations, tweets, voicemail messages, transcripts, offers, contracts, bids, proposals, licenses, permits, reports to any government agency, diary entries, calendar entries, drawings, printouts, discs, drives, microfilm, microfiche, audio tape, video tape, instant messages, text messages, messages sent through any encrypted application (including, but not limited to, Signal, WhatsApp, and Viber), and any other matter of any kind, regardless of the manner in which produced.

2 "And" means "or" and "or" means "and," as necessary to call for the broadest possible construction and to bring within the scope of this request any information that may otherwise be construed to be outside its scope.

3 "Communication(s)" means the transmission, sending, or receipt of information of any kind (in the form of facts, ideas, inquiries, or otherwise), by one or more persons and/or between two or more persons by or through any means including, but not limited to, speech, writings, language (machine, foreign, or otherwise), computer electronics of any kind (including, but not limited to, e-mail, instant messaging, or other computer linkups), magnetic tape, videotape, photographs, graphs, symbols,

signs, magnetic or optical disks, floppy disks, compact discs, CD-ROM discs, other removable or transportable media, sound, radio, or video signals, telecommunication, telephone, teletype, telexes, telecopies, facsimile, telegram, microfilm, microfiche, photographic film of all type, or other media of any kind.

4. As used herein, the words “relate to,” “refer to,” “with respect to,” “reflect,” “regarding,” “pertaining to” or “concerning” means mentioning, discussing, reflecting, containing, consisting of, evidencing, embodying, stating, dealing with, making reference or relating to in any way, or having any logical or factual connection with the subject matter identified in a discovery request.

5. The term “individual” or “person” as used herein, shall include without limitation any individual, natural person, and entity of every type and description, including (without limitation) any firm, partnership, association, joint venture, public or private corporation, proprietorship, government entity, organization, other business enterprise, group of natural persons, or other entity that has a separate legal existence.

6. Words in the singular include the plural, and vice versa. The past tense includes the present tense when the clear meaning is not distorted by the change of tense.

7. The term “each” as used herein shall be construed to mean “all” and the term “all” as used herein shall be construed to mean “each” when necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

8. “You” or “Your” or “Campaign” means Donald J. Trump for President, Inc., its subsidiaries, affiliated companies, parent companies, predecessor companies, successor companies, officers, directors, employees, agents, representatives, and all persons acting or purporting to act on their behalf. In accordance with Local Rule 26(a), this definition is not intended to impose a discovery obligation on any person who is not a party to the litigation.

9. “Staff” includes current and former employees, independent contractors, consultants, interns, and any other individuals receiving or who received compensation in exchange for services.

II. INSTRUCTIONS

1. You are required, in responding to these document requests, to obtain and produce all documents in your possession, available to you, or under your control, or in the possession of, available to, or under the control of your attorneys or agents.

2. Where a specified document is requested, such request shall not be interpreted to exclude any other documents where it is known that such other documents contain information relevant to the request.

3. If a document described by the request was, but no longer is in existence or in your control, you shall state:

- a. the present or last known location of that document;
- b. the names and addresses of all persons with knowledge of the contents of that document; and
- c. why the document is no longer in existence or in your control.

4. If You object to a document request, you must state whether you are withholding documents pursuant to that objection.

5. For each request you must provide bates numbers for all documents produced pursuant to that request.

6. This request represents a continuing request for production. Therefore, if a document described by this request is not in existence or in your control at the time of the first response to this request, but later comes into existence or into your control, you must immediately produce that document.

7. If any document called for by these requests is withheld under any claim of privilege, state separately with respect to each document as to which a privilege is claimed:

- a. the number and particular part of the document request to which the supposed privileged information is responsive;
- b. a description of the document;
- c. the basis upon which the privilege is claimed;
- d. the author of the document, the person(s) to whom the document was addressed, and any other person(s) to whom the document or any copy thereof was provided or shown; and
- e. the identity of each person (other than the attorneys representing you in this action) to whom the contents of the allegedly privileged communication contained in the document have been disclosed, either orally or in writing.

8. To the extent you deem a particular request to be irrelevant, over broad, or unduly burdensome, you shall respond to the request to the extent that you deem the request permissible.

9. Each request that seeks documents relating in any way to communications, to, from or within a business and/or corporate or governmental entity, is hereby designated to mean, and should be construed to include, all documents relating to communications by and between representatives, employees, agents, attorneys, and/or servants of the business and/or corporate and/or governmental entity.

10. The instructions are amplified by the definitions, and the documents requested in these requests are amplified by the definitions and instructions. You should respond to each request in the context of the definitions and instructions.

11. Documents shall be produced in the form in which you keep them in the ordinary

course of business. In particular, electronically stored information shall be produced in electronic form and searchable to the same extent as you maintain such information in the ordinary course of business.

III. DOCUMENTS REQUESTED

60 Please produce the original unedited video reflecting an interaction between Defendant Donald J. Trump and Alva Johnson on August 24, 2016 in its unaltered format, including all metadata.

61. Please produce any other videos or photographs in your possession or control (including other images or videos from the telephone of Brian Hayes and/or any other Campaign staff and volunteers) that reflect any events from the rally in Tampa, Florida on August 24, 2016.

Date: July 19, 2019

Respectfully submitted,

/s/ Hassan A. Zavareei
Hassan A. Zavareei (*pro hac vice*)
Katherine M. Aizpuru (*pro hac vice*)
TYCKO & ZAVAREEI LLP
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(510) 622-8150

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 19, 2019, the foregoing document was served, with the consent of all parties, by electronic mail on counsel of record for Defendants.

/s/ Hassan A. Zavareei
Hassan A. Zavareei

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

ALVA JOHNSON,
Individually and On Behalf of All Others
Similarly Situated,

Plaintiff/Relator,

v.

DONALD J. TRUMP,
In his Individual Capacity and
DONALD J. TRUMP FOR
PRESIDENT, INC.

Defendant.

Case No. 8:19-cv-00475-WFJ-SPF

**PLAINTIFF'S SECOND REQUESTS FOR PRODUCTION OF DOCUMENTS TO
DEFENDANT DONALD J. TRUMP**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Plaintiff Alva Johnson hereby requests that Defendant Donald J. Trump ("Defendant") produce the documents and tangible things described below for inspection and copying, within thirty (30) days, at the office of Tycko & Zavareei LLP, 1828 L Street NW, Suite 1000, Washington, D.C. 20036.

I. DEFINITIONS

1. "Document" and "Documents" ("Document(s)") should be interpreted in their broadest possible sense within the meaning of Rule 34(a) of the Federal Rules of Civil Procedure and shall mean the complete original (or complete copy where the original is unavailable) and each non-identical copy (where different from the original because of notes made on the copy or otherwise) of any writing or record, as well as any attachment thereto or enclosure therewith. "Document(s)" includes all written, typewritten, handwritten, printed, computerized, electronically created or stored, or graphic matter of any kind or nature, however produced or reproduced; any form of collected data for use with electronic data processing equipment; any physical object or thing, and any mechanical or electronic visual or sound recordings now or formerly in Defendant's possession, custody or control or known to

Defendant regardless of physical location. “Document(s)” includes all materials and tangible objects conveying or carrying spoken, visual or literal substance, including papers, correspondence, records, tables, charts, analysis, graphs, schedules, reports, spreadsheets, memoranda, journals, notes, logs, calendars, appointment books, letters, telegrams, telecopy, telex and telefacsimile transmissions, messages, studies, books, periodicals, magazines, newspapers, booklets, advertisements, brochures, instructions, minutes, contracts, books of account, orders, invoices, statements, checks, bills, receipts, files, vouchers, notebooks, scrapbooks, data sheets, data processing cards, computer files, computer disks, computer printouts, “e-mail” messages, photographs, negatives, phone recordings, tape recordings, wire recordings, drawings, forms, catalogues, manuals, tabulations, tweets, voicemail messages, transcripts, offers, contracts, bids, proposals, licenses, permits, reports to any government agency, diary entries, calendar entries, drawings, printouts, discs, drives, microfilm, microfiche, audio tape, video tape, instant messages, text messages, messages sent through any encrypted application (including, but not limited to, Signal, WhatsApp, and Viber), and any other matter of any kind, regardless of the manner in which produced.

2. “And” means “or” and “or” means “and,” as necessary to call for the broadest possible construction and to bring within the scope of this request any information that may otherwise be construed to be outside its scope.

3. “Communication(s)” means the transmission, sending, or receipt of information of any kind (in the form of facts, ideas, inquiries, or otherwise), by one or more persons and/or between two or more persons by or through any means including, but not limited to, speech, writings, language (machine, foreign, or otherwise), computer electronics of any kind (including, but not limited to, e-mail, instant messaging, or other computer linkups), magnetic tape, videotape, photographs, graphs, symbols, signs, magnetic or optical disks, floppy disks, compact discs, CD-ROM discs, other removable or transportable media, sound, radio, or video signals, telecommunication, telephone, teletype, telexes,

telecopies, facsimile, telegram, microfilm, microfiche, photographic film of all type, or other media of any kind.

4. As used herein, the words “relate to,” “refer to,” “with respect to,” “reflect,” “regarding,” “pertaining to” or “concerning” means mentioning, discussing, reflecting, containing, consisting of, evidencing, embodying, stating, dealing with, making reference or relating to in any way, or having any logical or factual connection with the subject matter identified in a discovery request.

5. The term “individual” or “person” as used herein, shall include without limitation any individual, natural person, and entity of every type and description, including (without limitation) any firm, partnership, association, joint venture, public or private corporation, proprietorship, government entity, organization, other business enterprise, group of natural persons, or other entity that has a separate legal existence.

6. Words in the singular include the plural, and vice versa. The past tense includes the present tense when the clear meaning is not distorted by the change of tense.

7. The term “each” as used herein shall be construed to mean “all” and the term “all” as used herein shall be construed to mean “each” when necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

8. “You” or “Your” means Donald J. Trump.

9. “Campaign” means Donald J. Trump for President, Inc., its subsidiaries, affiliated companies, parent companies, predecessor companies, successor companies, officers, directors, employees, agents, representatives, and all persons acting or purporting to act on their behalf. In accordance with Local Rule 26(a), this definition is not intended to impose a discovery obligation on any person who is not a party to the litigation.

10. “Declaration” means a statement signed or otherwise executed by You, including sworn declarations, affidavits, attestations, interrogatory responses or any other statements, and including

statements signed by hand, through electronic means such as DocuSign or Adobe Sign, or any other means.

11. “Legal Proceeding” means any dispute resolution proceeding, whether in court, arbitration, an administrative agency, or any other forum.

12. “Non-disclosure Agreement” or “NDA” means any contract or agreement between, on the one hand, You, anyone acting on Your behalf, the Campaign, or any Trump Entity, and, on the other hand, any other person, which prohibits (or contains any provision prohibiting) signatories from disclosing information about Your personal life, political affairs, and/or business affairs; disclosing communications with You or any Trump Entity; or disparaging You, members of Your family or any Trump Entity. NDAs also include any agreement that contain a nondisclosure or nondisparagement provision as described in the previous sentence, even if it also includes other provisions.

13. “Sexual Behavior” has the normal colloquial meaning, and shall include all manner of sexual conduct, including kissing, groping, fondling, caressing, oral sex, vaginal intercourse, anal intercourse, contact with any private parts (including genitalia, breasts, and buttocks), and sexual banter and joking, whether consensual or non-consensual.

14. “Staff” includes current and former employees, independent contractors, consultants, interns, and any other individuals receiving or who received compensation in exchange for services.

15. “Trump Entity” means any entity, partnership, trust, or organization that, in whole or in part, was created by or for the benefit of Donald J. Trump and/or is controlled or owned by Donald J. Trump.

II. INSTRUCTIONS

1. You are required, in responding to these document requests, to obtain and produce all documents in your possession, available to you, or under your control, or in the possession of, available to, or under the control of your attorneys or agents.

2. Where a specified document is requested, such request shall not be interpreted to exclude any other documents where it is known that such other documents contain information relevant to the request.

3. If a document described by the request was, but no longer is in existence or in your control, you shall state:

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- c. why the document is no longer in existence or in your control.

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7. If any document called for by these requests is withheld under any claim of privilege, state separately with respect to each document as to which a privilege is claimed:

- a. the number and particular part of the document request to which the supposed privileged information is responsive;
- b. a description of the document;
- c. the basis upon which the privilege is claimed;

d. the author of the document, the person(s) to whom the document was addressed, and any other person(s) to whom the document or any copy thereof was provided or shown; and

e. the identity of each person (other than the attorneys representing you in this action) to whom the contents of the allegedly privileged communication contained in the document have been disclosed, either orally or in writing.

8. To the extent you deem a particular request to be irrelevant, over broad, or unduly burdensome, you shall respond to the request to the extent that you deem the request permissible.

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III. DOCUMENTS REQUESTED

63. Please produce the original unedited video reflecting an interaction between You and Alva Johnson on August 24, 2016 in its unaltered format, including all metadata.

64. Please produce any other videos or photographs in your possession or control (including other images or videos from the telephone of Brain Hayes and/or any other Campaign Staff and volunteers) that reflect any events from the rally in Tampa, Florida on August 24, 2016.

Date: July 19, 2019

Respectfully submitted,

/s/ Hassan A. Zavareei
Hassan A. Zavareei (*pro hac vice*)
Katherine M. Aizpuru (*pro hac vice*)
TYCKO & ZAVAREEI LLP
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475 14th Street, Suite 610
Oakland, CA 94612
(510) 622-8150

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 19, 2019, the foregoing document was served, with the consent of all parties, by electronic mail on counsel of record for Defendants.

/s/ Hassan A. Zavareei

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

ALVA JOHNSON,
Individually and On Behalf of All Others
Similarly Situated,

Plaintiff,

v.

DONALD J. TRUMP,
In his Individual Capacity and
DONALD J. TRUMP FOR
PRESIDENT, INC.

Defendant.

Case No. 8:19-cv-00475-WFJ-SPF

**PLAINTIFF'S SECOND SET OF INTERROGATORIES TO
DEFENDANT DONALD J. TRUMP FOR PRESIDENT, INC.**

Plaintiff Alva Johnson (“Plaintiff”), by and through her undersigned counsel, pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, requests that Defendant Donald J. Trump for President, Inc. (“Campaign”) respond to the following written interrogatories under oath within the time prescribed by law. The following interrogatories are to be considered continuing in nature and must be supplemented or amended to the extent required by Rule 26(e) of the Federal Rules of Civil Procedure.

INSTRUCTIONS

1. These interrogatories are to be answered separately and fully, in writing, within thirty (30) days of the date of service.
2. You are to answer each interrogatory by providing all responsive information. If you object to any interrogatory, specify the part to which you object, state your objections, state all factual

and legal justifications that you believe support your objections, and respond to the remainder to which you do not object.

3. If you cannot respond fully and completely to any interrogatory or part thereof, then answer to the fullest extent possible and state the reason for your inability to provide a full and complete answer.

4. To the extent that any information called for by any interrogatory is unknown to you, so state and set forth such information as is known to you. If any estimate can reasonably be made in place of unknown information, set forth your best estimate, clearly designated as such, and describe the basis upon which the estimate is made.

5. Each interrogatory shall be construed to include information and documents within your knowledge, possession or control as of the date you answer these interrogatories, and any supplemental information, knowledge, data, documents or communications responsive to these interrogatories that is generated, obtained or discovered after the date of your answers.

6. If you contend that any documents required to be identified herein are protected by attorney-client privilege, the attorney work product doctrine or any other privilege, provide a list of each document and, as to each, state (a) the type of document (*e.g.*, letter, memo, e-mail), (b) name and title or position of the author(s), (c) name and title or position of the recipient(s), including all cc: and bcc: recipient(s), (d) the date of the document, (e) the title or subject matter, (f) the privilege or privileges claimed, and (g) the interrogatory to which the document relates.

7. You are required to promptly supplement your responses to these interrogatories throughout the duration of this action pursuant to Federal Rule of Civil Procedure 26(e).

8. All definitions and instruction set forth herein are expressly incorporated by reference into the following interrogatories as if fully set forth therein.

TIME FRAME OF INTERROGATORIES

9. Unless otherwise stated, the time period covered by these interrogatories is January 1, 2015 to the present.

DEFINITIONS

10. “You,” “Your” and/or “Defendant” means and refers to the above-named Defendant, including its current and former officers, directors, employees, attorneys, agents and representatives, and any affiliated entities.

11. “Document” and “Documents” (“Document(s)”) should be interpreted in their broadest possible sense within the meaning of Rule 34(a) of the Federal Rules of Civil Procedure and shall mean the complete original (or complete copy where the original is unavailable) and each non-identical copy (where different from the original because of notes made on the copy or otherwise) of any writing or record, as well as any attachment thereto or enclosure therewith. “Document(s)” includes all written, typewritten, handwritten, printed, computerized, electronically created or stored, or graphic matter of any kind or nature, however produced or reproduced; any form of collected data for use with electronic data processing equipment; any physical object or thing, and any mechanical or electronic visual or sound recordings now or formerly in Defendant’s possession, custody or control or known to Defendant regardless of physical location. “Document(s)” includes all materials and tangible objects conveying or carrying spoken, visual or literal substance, including papers, correspondence, records, tables, charts, analysis, graphs, schedules, reports, spreadsheets, memoranda, journals, notes, logs, calendars, appointment books, letters, telegrams, telecopy, telex and telefacsimile transmissions, messages, studies, books, periodicals, magazines, newspapers, booklets, advertisements, brochures, instructions, minutes, contracts, books of account, orders, invoices, statements, checks, bills, receipts, files, vouchers, notebooks, scrapbooks, data sheets, data processing cards, computer files, computer disks, computer printouts, “e-mail” messages, photographs, negatives, phone recordings, tape recordings, wire recordings, drawings, forms, catalogues, manuals, tabulations, tweets,

voicemail messages, transcripts, offers, contracts, bids, proposals, licenses, permits, reports to any government agency, diary entries, calendar entries, drawings, printouts, discs, drives, microfilm, microfiche, audio tape, video tape, instant messages, text messages, messages sent through any encrypted application (including, but not limited to, Signal, WhatsApp, and Viber), and any other matter of any kind, regardless of the manner in which produced. “Communication” means any oral utterance made, heard or overheard to another person or persons, whether in person or by telephone or otherwise, as well as every written document and every other mode of intentionally conveyed meaning.

12. To “identify” a person or entity means to state the person or entity’s name, current or last-known address and telephone number and, for a person, his or her occupation.

13. To “identify” a document means to state (a) the date of the document; (b) the title of the document; (c) the author(s) of the document; (d) the recipient(s) of the document, including any cc: or bcc: recipient(s); (e) the title or the subject matter of the document; and (f) the current custodian of the document.

14. “Complaint” refers to the operative Complaint(s) currently pending against You styled in *Alva Johnson v. Donald J. Trump*, Case No. 8:19-cv-00475-WFJ-SPF (M.D. Fl.).

15. “Staff” includes current and former employees, independent contractors, consultants, interns, and any other individuals receiving or who received compensation in exchange for services.

16. As used herein, the words “relating to” shall mean: pertaining to, referring to, containing, concerning, describing, mentioning, constituting, supporting, corroborating, demonstrating, proving, evidencing, refuting, disputing, rebutting, controverting and/or contradicting.

17. Words in the singular include the plural, and vice versa, and the words “and” and “or” include “and/or.” The past tense includes the present tense when the clear meaning is not distorted by the change of tense.

INTERROGATORIES

INTERROGATORY NO. 18: Describe the circumstances under which You or Your counsel received the video reflecting an interaction between You and Alva Johnson on August 24, 2016 (“Video”), including the date You or your counsel received the Video, who You or Your counsel received the Video from, and the manner in which the Video was conveyed to You or Your counsel.

ANSWER:

INTERROGATORY NO. 19: Please identify the person or persons who spliced the Video into over eight hours of other video footage prior to production to Plaintiff, identify the date that this new longer compilation video was created, and explain why the Video was altered in this manner instead of left in its original unaltered form.

ANSWER:

INTERROGATORY NO. 20: Please state why You produced this video on July 5, 2019 – the Friday before Ms. Johnson’s Monday July 8, 2019 deposition – instead of an earlier date.

ANSWER:

Date: July 19, 2019

Respectfully submitted,

/s/ Hassan A. Zavareei
Hassan A. Zavareei (*pro hac vice*)
Katherine M. Aizpuru (*pro hac vice*)
TYCKO & ZAVAREEI LLP
1828 L Street, N.W., Suite 1000
Washington, D.C. 20036
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Lady Lake, FL 32158-1870
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jvarnell@varnellandwarwick.com
bwarwick@varnellandwarwick.com

F. Paul Bland (pro hac vice)
Karla Gilbride (pro hac vice)
PUBLIC JUSTICE, P.C.
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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 19, 2019, the foregoing document was served, with the consent of all parties, by electronic mail on counsel of record for Defendants.

/s/ Hassan A. Zavareei

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

ALVA JOHNSON,
Individually and On Behalf of All Others
Similarly Situated,

Plaintiff,

v.

DONALD J. TRUMP,
In his Individual Capacity and
DONALD J. TRUMP FOR
PRESIDENT, INC.

Defendant.

Case No. 8:19-cv-00475-WFJ-SPF

**PLAINTIFF'S SECOND SET OF INTERROGATORIES TO
DEFENDANT DONALD J. TRUMP**

Plaintiff Alva Johnson ("Plaintiff"), by and through her undersigned counsel, pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, requests that Defendant Donald J. Trump respond to the following written interrogatories under oath within the time prescribed by law. The following interrogatories are to be considered continuing in nature and must be supplemented or amended to the extent required by Rule 26(e) of the Federal Rules of Civil Procedure.

INSTRUCTIONS

1. These interrogatories are to be answered separately and fully, in writing, within thirty (30) days of the date of service.
2. You are to answer each interrogatory by providing all responsive information. If you object to any interrogatory, specify the part to which you object, state your objections, state all factual and legal justifications that you believe support your objections, and respond to the remainder to which you do not object.

3. If you cannot respond fully and completely to any interrogatory or part thereof, then answer to the fullest extent possible and state the reason for your inability to provide a full and complete answer.

4. To the extent that any information called for by any interrogatory is unknown to you, so state and set forth such information as is known to you. If any estimate can reasonably be made in place of unknown information, set forth your best estimate, clearly designated as such, and describe the basis upon which the estimate is made.

5. Each interrogatory shall be construed to include information and documents within your knowledge, possession or control as of the date you answer these interrogatories, and any supplemental information, knowledge, data, documents or communications responsive to these interrogatories that is generated, obtained or discovered after the date of your answers.

6. If you contend that any documents required to be identified herein are protected by attorney-client privilege, the attorney work product doctrine or any other privilege, provide a list of each document and, as to each, state (a) the type of document (*e.g.*, letter, memo, e-mail), (b) name and title or position of the author(s), (c) name and title or position of the recipient(s), including all cc: and bcc: recipient(s), (d) the date of the document, (e) the title or subject matter, (f) the privilege or privileges claimed, and (g) the interrogatory to which the document relates.

7. You are required to promptly supplement your responses to these interrogatories throughout the duration of this action pursuant to Federal Rule of Civil Procedure 26(e).

8. All definitions and instruction set forth herein are expressly incorporated by reference into the following interrogatories as if fully set forth therein.

TIME FRAME OF INTERROGATORIES

9. Unless otherwise stated, the time period covered by these interrogatories is January 1, 1980 to the present.

DEFINITIONS

10. “You,” “Your” and/or “Defendant” means and refers to Donald J. Trump.

11. “Document” and “Documents” (“Document(s)”) should be interpreted in their broadest possible sense within the meaning of Rule 34(a) of the Federal Rules of Civil Procedure and shall mean the complete original (or complete copy where the original is unavailable) and each non-identical copy (where different from the original because of notes made on the copy or otherwise) of any writing or record, as well as any attachment thereto or enclosure therewith. “Document(s)” includes all written, typewritten, handwritten, printed, computerized, electronically created or stored, or graphic matter of any kind or nature, however produced or reproduced; any form of collected data for use with electronic data processing equipment; any physical object or thing, and any mechanical or electronic visual or sound recordings now or formerly in Defendant’s possession, custody or control or known to Defendant regardless of physical location. “Document(s)” includes all materials and tangible objects conveying or carrying spoken, visual or literal substance, including papers, correspondence, records, tables, charts, analysis, graphs, schedules, reports, spreadsheets, memoranda, journals, notes, logs, calendars, appointment books, letters, telegrams, telecopy, telex and telefacsimile transmissions, messages, studies, books, periodicals, magazines, newspapers, booklets, advertisements, brochures, instructions, minutes, contracts, books of account, orders, invoices, statements, checks, bills, receipts, files, vouchers, notebooks, scrapbooks, data sheets, data processing cards, computer files, computer disks, computer printouts, “e-mail” messages, photographs, negatives, phone recordings, tape recordings, wire recordings, drawings, forms, catalogues, manuals, tabulations, tweets, voicemail messages, transcripts, offers, contracts, bids, proposals, licenses, permits, reports to any government agency, diary entries, calendar entries, drawings, printouts, discs, drives, microfilm, microfiche, audio tape, video tape, instant messages, text messages, messages sent through any encrypted application (including, but not limited to, Signal, WhatsApp, and Viber), and any other

matter of any kind, regardless of the manner in which produced. “Communication” means any oral utterance made, heard or overheard to another person or persons, whether in person or by telephone or otherwise, as well as every written document and every other mode of intentionally conveyed meaning.

12. To “identify” a person or entity means to state the person or entity’s name, current or last-known address and telephone number and, for a person, his or her occupation.

13. To “identify” a document means to state (a) the date of the document; (b) the title of the document; (c) the author(s) of the document; (d) the recipient(s) of the document, including any cc: or bcc: recipient(s); (e) the title or the subject matter of the document; and (f) the current custodian of the document.

14. “Complaint” refers to the operative Complaint(s) currently pending against You styled in *Alva Johnson v. Donald J. Trump*, Case No. 8:19-cv-00475-WFJ-SPF (M.D. FL).

15. “Legal Proceeding” means any dispute resolution proceeding, whether in court, arbitration, an administrative agency, or any other forum.

16. “Sexual Behavior” has the normal colloquial meaning, and shall include all manner of sexual conduct, including kissing, groping, fondling, caressing, oral sex, vaginal intercourse, anal intercourse, contact with any private parts (including genitalia, breasts, and buttocks), and sexual banter and joking, whether consensual or non-consensual.

17. As used herein, the words “relating to” shall mean: pertaining to, referring to, containing, concerning, describing, mentioning, constituting, supporting, corroborating, demonstrating, proving, evidencing, refuting, disputing, rebutting, controverting and/or contradicting.

18. Words in the singular include the plural, and vice versa, and the words “and” and “or” include “and/or.” The past tense includes the present tense when the clear meaning is not distorted by the change of tense.

INTERROGATORIES

INTERROGATORY NO. 7: Describe the circumstances under which You or Your counsel received the video reflecting an interaction between You and Alva Johnson on August 24, 2016 (“Video”), including the date You or your counsel received the Video, who You or Your counsel received the Video from, and the manner in which the Video was conveyed to You or Your counsel.

ANSWER:

INTERROGATORY NO. 8: Please identify the person or persons who spliced the Video into over eight hours of other video footage prior to production to Plaintiff, identify the date that this new longer compilation video was created, and explain why the Video was altered in this manner instead of left in its original unaltered form.

ANSWER:

INTERROGATORY NO. 9: Please state why You produced this video on July 5, 2019 – the Friday before Ms. Johnson’s Monday July 8, 2019 deposition – instead of an earlier date.

ANSWER:

Date: July 19, 2019

Respectfully submitted,

/s/ Hassan A. Zavareei
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