

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT**

JANET JENKINS, et al.,

Plaintiffs,

v.

No. 2:12-cv-184-WKS

KENNETH L. MILLER, et al.,

Defendants.

**PLAINTIFFS' MOTION TO COMPEL
DEFENDANTS LIBERTY COUNSEL, INC. AND RENA LINDEVALDSEN
TO COMPLY WITH PLAINTIFFS' REQUESTS FOR PRODUCTION**

Pursuant to Rules 26, 34, and 37 of the Federal Rules of Civil Procedure and Local Rule 26, Plaintiffs Janet Jenkins and Isabella Miller-Jenkins move to compel Defendants Liberty Counsel, Inc. and Rena Lindevaldsen ("Defendants") to comply with Plaintiffs' First Requests for Production of Documents ("the Requests"). Prior to seeking court involvement in this discovery matter, Plaintiffs have in good faith attempted to confer with Defendants through counsel, as detailed below.

FACTUAL BACKGROUND

This action arises out of the September 2009 kidnapping of then-seven-year-old Isabella Miller-Jenkins by one of her mothers, Lisa Miller, to avoid compliance with Vermont and Virginia court orders granting her other mother, Janet Jenkins, parental rights and responsibilities over Isabella. This case has been pending before this Court since August 2012.

Plaintiffs served the Requests on the Liberty Counsel Defendants on June 27, 2018. These Requests are attached as Exhibits 1 and 2. The Requests seek highly relevant information, including Defendants' communications with Lisa Miller and other co-conspirators, documents

related to their whereabouts on crucial dates related to Isabella’s kidnapping, and documents demonstrating their anti-LGBT animus.

Defendants have produced a combined total of 571 pages in response to these Requests. Of those, 539 are grayscale printouts from Facebook, YouTube, and Defendants’ own websites. Decl. of J. Tyler Clemons (“Clemons Decl.”) ¶ 10. Defendants have produced only five pages that are not either webpages or communications with Plaintiffs’ own counsel. *Id.*

Liberty Counsel and Lindevaldsen provided substantially identical responses and objections to the Requests—but no documents—on October 15, 2018. *Id.* ¶ 4. These responses are attached as Exhibits 3 and 4. On January 15, 2019, Lindevaldsen made an initial production of documents totaling 346 pages, 315 of which were grayscale printouts from Facebook. *Id.* ¶ 5.

Plaintiffs conferred with Liberty Counsel, on behalf of itself and Lindevaldsen, via telephone on February 11, 2019, and again on April 12, 2019. *Id.* ¶¶ 6–7. The conclusions of those conferences are memorialized in the April 17, 2019 letter from Plaintiffs’ counsel Tyler Clemons to Defendants’ counsel Horatio Mihet, attached as Exhibit 5. As the letter notes, Defendants agreed to produce responsive documents on May 10, 2019. Letter from J. Tyler Clemons to Horatio Mihet (Apr. 17, 2019) (“Clemons Letter”), Ex. 5, at 1.

On June 10, 2019, Liberty Counsel made a production of 225 pages, 224 of which consisted of grayscale printouts from Facebook, YouTube, and Liberty Counsel’s own websites. Clemons Decl. ¶ 9. Liberty Counsel also produced its “First Supplemental Responses and Objections” to Plaintiffs’ Requests, which is attached as Exhibit 6. Liberty Counsel’s objections and responses to the Requests are the same as those of Lindevaldsen. Liberty Counsel’s First Supplemental Resps. to Pls’ Reqs. (“Resps.”), Ex. 6, at 2.¹ Lindevaldsen produced no additional

¹ Page numbers for Exhibit 6 refer to those generated by the Court’s CM/ECF system.

documents. Clemons Decl. ¶ 9. Defendants also refused to produce privilege logs for either production. *Id.*

Defendants' delays, obfuscation, and stonewalling have limited Plaintiffs' ability to engage in meaningful negotiations about discovery, to develop their claims, and to move this case toward trial. After numerous attempts to resolve this dispute without the Court's intervention, Plaintiffs now ask the Court to order Defendants to: (1) conduct searches to determine the universe of responsive documents; (2) negotiate in good faith with Plaintiffs to narrow the Requests for which the results of those searches reasonably justify overbreadth or undue burden objections; (3) produce all responsive, non-privileged documents; and (4) produce privilege logs for all documents that are withheld from production based on privilege or other protection.

ARGUMENT

The Requests at issue in this motion fall into three broad categories: (1) those Requests about which Defendants have repeatedly refused to conduct any search whatsoever; (2) those for which Defendants have apparently conducted some search but have done so using criteria so narrow as to exclude a wide swath of responsive, nonprivileged documents; and (3) those that Defendants claim violate the First Amendment despite the lack of any authority for that contention. The Court should order a complete production of all three categories of Requests.

I. Defendants Must Base Their Objections to Requests 4–7 on Particularized Facts Instead of Speculation (Category 1).

Requests 4, 5, and 6 seek all documents and communications concerning Jenkins, Isabella, and Lisa Miller, respectively. Reqs. to Lindevaldsen, Ex. 1, at 8; Reqs. to Liberty Counsel, Ex. 2, at 8. Request 7 seeks all communications with Isabella. *Id.* Defendants object to each of these requests with identical language, asserting that the requests are “vague, overbroad,

and unduly burdensome . . . [and] not proportional to the needs of this case.” Resps., Ex. 6, at 8–9.

Plaintiffs have offered to narrow Requests 4–7 based on the number and type of documents found during Defendants’ search. But Defendants have not conducted a search for documents responsive to Requests 4–7 and refuse to do so until Plaintiffs narrow them by subject matter. *See* Clemons Letter, Ex. 5, at 2; Resps., Ex. 6, at 2. Defendants assert that “[i]t is unreasonable for Plaintiff to require Defendant to search for and produce every document or communication Defendant has had with any person in the entire world about anything having to do with Plaintiff Janet Jenkins [or Lisa Miller or Isabella Miller-Jenkins] over the course of 18 years.” Resps., Ex. 6, at 8–9.

Defendants’ boilerplate refusal to conduct a reasonable inquiry into Requests 4–7 is inconsistent with the Federal Rules of Civil Procedure governing discovery. Specifically, Defendants bear the burden of demonstrating with specificity why the documents sought by Requests 4–7 should be withheld. *See* Fed. R. Civ. P. 34(b)(2); *see also, e.g., John Wiley & Sons, Inc. v. Book Dog Books, LLC*, 298 F.R.D. 184, 186 (S.D.N.Y. 2014). This requirement works in tandem with Rule 26(g)(1), which requires Defendants to certify that their discovery objections are justified by particularized facts discovered through reasonable inquiry. *See Mancina v. Mayflower Textile Servs. Co.*, 253 F.R.D. 354, 358–59 (D. Md. 2008). Defendants’ boilerplate “overly broad and unduly burdensome” objections cannot satisfy that burden. *Fischer v. Forrest*, No. 14-civ-1304, 2017 WL 773694, at *3 (S.D.N.Y. Feb. 28, 2017) (“Why is it burdensome? How is it overly broad? This language tells the Court nothing.”).

Dramatic phrasing notwithstanding, neither Defendants nor Plaintiffs have any way of knowing just how many documents “every document or communication Defendant has had with

any person in the entire world about anything having to do with Plaintiff Janet Jenkins over the course of 18 years” might be until Defendants at least begin a search. These principles also demonstrate why Defendants’ demands that Plaintiffs narrow Requests 4–7 by subject matter are premature: Because Defendants have given Plaintiffs no concrete information regarding the number or nature of potentially responsive documents, any attempt by Plaintiffs to narrow Requests 4–7 would be mere stabs in the dark.

II. Defendants’ Attempts to Narrow Requests 8, 11, 12, 17–19, 35, 36, 47, and 48 Exclude Wide Swaths of Responsive, Relevant, Nonprivileged Documents (Category 2).

Defendants’ responses to Requests 8, 11, 12, 17–19, 35, 36, 47, and 48 indicate that they have conducted an unreasonably limited inquiry into documents responsive to these Requests, which violates their duty under the Federal Rules of Civil Procedure, for the reasons discussed above. The searches Defendants have conducted into these Requests are based on criteria so narrow as to require a “smoking gun.” But Rule 26 of the Federal Rules of Civil Procedure provides for the discovery of “any nonprivileged matter that is relevant to any party’s claim or defense.” This scope has been “construed broadly to encompass any matter that bears on, or that reasonably could lead to other matter that could bear on, any issue that is or may be in the case.” *Connolly v. Alderman*, No. 2:17-cv-79, 2018 WL 4462368, at *5 (D. Vt. Sept. 18, 2018) (quoting *Oppenheimer Fund, Inc. v. Sanders*, 437 U.S. 340, 351 (1978)).

Defendants’ responses thus provide Plaintiffs with virtually no useful information and potentially exclude a wide swath of responsive, relevant, nonprivileged documents. The fact that Defendants’ chosen criteria for every one of these ten Requests resulted in searches that returned no responsive documents unmask these responses as a stonewalling tactic rather than a good-faith effort to limit overly broad or unduly burdensome discovery requests.

A. Request 8

This Request seeks all communications with Lisa Miller. Reqs. to Lindevaldsen, Ex. 1, at 8; Reqs. to Liberty Counsel, Ex. 2, at 8. Defendants respond that they have “had no communications with Lisa Miller since September 12, 2009, and therefore [have] no responsive documents in [their] custody, possession or control after that date.” Resps., Ex. 6, at 9.

Defendants further state that that have “had no communications with Lisa Miller regarding her disappearance in 2009 or her whereabouts since 2009.” *Id.* Defendants also raise attorney–client and work-product privilege objections. *Id.*

Defendants’ response amounts to little more than a blanket denial of liability. Plaintiffs are not particularly surprised to learn that neither Lindevaldsen nor Liberty Counsel has emails from Lisa Miller with subject lines such as “RE: plans to kidnap Isabella” or “Hello from Managua.” As the Court has noted, the nature of conspiracies is secret, and circumstantial evidence is often essential to establishing involvement in one. *See Op. & Order*, ECF 277, at 18 (quoting *Quinones v. Szorc*, 771 F.2d 289, 291 (7th Cir. 1985)). That Defendants’ cramped limitation of this Request excludes all circumstantial evidence is confirmed by their paltry productions, which do not contain a single communication between Lisa Miller and Lindevaldsen or Liberty Counsel.

Just one example of the kind of responsive communications excluded by Defendants’ limitations are those about Lindevaldsen’s book *Only One Mommy*, which she claims was based on Lisa Miller’s own diaries entrusted to Lindevaldsen before Lisa disappeared. *See Revised Second Am. Compl.* (“Compl.”), ECF 223 ¶ 62. Such communications would presumably be excluded by Defendants’ date limitation because they predate Lisa’s disappearance, but they could provide additional information about a number of relevant facts, including the information communicated to Lindevaldsen about Lisa’s plans when Lisa gave Lindevaldsen her diaries.

This example also demonstrates the insufficiency of Defendants’ blanket privilege objections. The attorney–client privilege extends only to communications “made in confidence for the purpose of obtaining legal advice from the lawyer”—not for writing a book. *Bloomingsburg Jewish Ed. Ctr. v. Vill. of Bloomingsburg*, 171 F. Supp. 3d 136, 141 (S.D.N.Y. 2016) (quoting *United States v. Kovel*, 296 F.2d 918, 922 (2d Cir. 1961)) (emphasis added); see also *In re von Bulow*, 828 F.2d 94, 101 (2d Cir. 1987) (client’s active participation in publication of book about case waived attorney–client privilege).

The fact that many if not most of Defendants’ communications with Lisa Miller might be privileged does not excuse Defendants from searching for communications—like these—that would not be privileged (and listing those that that are privileged on a log). If it did, the exceptions to the attorney–client privilege would be largely meaningless. Rather, the privilege is narrowly construed, and Defendants bear the burden of establishing that the attorney–client privilege applies to each communication. See *United States v. Meija*, 655 F.3d 126, 132 (2d Cir. 2011). Rule 26(b)(5)(A) of the Federal Rules of Civil Procedure requires Defendants to “describe the nature of the documents, communications, or tangible things not produced or disclosed—and do so in a manner that, without revealing information itself privileged or protected, will enable other parties to assess the claim.” Defendants have manifestly failed to comply with that requirement.

B. Requests 11–12

Request 11 seeks all communications with zeusdesfor@aol.com, an email address used by Lisa Miller, “concerning the Dispute; Defendant Lisa Miller’s whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins’ whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.” Reqs. to Lindevaldsen, Ex. 1, at 9; Reqs. to

Liberty Counsel, Ex. 2, at 9. Request 12 seeks communications concerning the same subjects from childofgod1@live.com, another address used by Lisa Miller. *Id.* Defendants deny that they have any responsive documents concerning any subject except the Dispute, and no responsive documents concerning the Dispute after September 12, 2009.² Resps., Ex. 6, at 11–13.

Defendants then state:

As to communications between Defendant and Lisa Miller between 2002 and September 12, 2009, about Lisa Miller’s ‘Dispute’ with Jenkins, Defendant objects to the request as overbroad, unduly burdensome, and not proportional to the needs of the litigation. The communications *would have been about Defendant’s lawful representation of Miller* in the ‘Dispute,’ and *would not have been about the unlawful conduct* alleged in this lawsuit. Moreover, because of the lawyer-client relationship between Defendant and Lisa Miller, the communications *would likely all be privileged*. It would be too burdensome, and serve no purpose, to require Defendant to sift through all of its communications with Lisa Miller between 2002 and 2009 and to catalogue them individually as privileged.

Id. (emphasis added).

Defendants’ speculative response to Requests 11–12 is inconsistent with their responsibility to object with specificity for the reasons discussed above in Section I. Moreover, Plaintiffs have substantial reason to believe that Defendants’ speculation is wrong: As noted above, Lindevaldsen’s book *Only One Mommy* proves that she and Lisa Miller frequently communicated over email about the Dispute in a manner that was not about Defendants’ lawful representation of Lisa Miller and thus likely would not be privileged. *See, e.g.,* Rena Lindevaldsen, *Only One Mommy: A Woman’s Battle for Her Life, Her Daughter, and Her*

² Plaintiffs’ discovery requests define the Dispute as “the disagreement between Plaintiff Janet Jenkins and Defendant Lisa Miller over parental rights concerning Plaintiff Isabella Miller-Jenkins, including but not limited to the Vermont Proceedings and the Virginia Proceedings.” Reqs. to Lindevaldsen, Ex. 1, at 2; Reqs. to Liberty Counsel, Ex 2., at 2.

Freedom: The Lisa Miller Story 42–43 (2011) (“After each court battle, she [Lisa Miller] would send me [Lindevaldsen] encouraging emails because she thought I needed them.”).

Through their subpoena to Liberty University, Plaintiffs are also aware of several responsive communications between Lisa Miller and Defendants’ Liberty University email addresses. Although Defendants have asserted that such communications are privileged, they have insisted throughout the course of this litigation that “Liberty Counsel and Liberty University are legally and corporately separate and distinct entities.” Brief Supp. Defs’ Mot. to Dismiss, ECF 240, at 2. Liberty University’s “Acceptable Use Policy” expressly states that the University “reserves and intends to exercise” its right to monitor all communications that pass through its servers. Liberty University, Acceptable Use Policy, <http://www.liberty.edu/information/services/index.cfm?PID=41188>, Ex. 7, at 5–6. Defendants’ use of Liberty University’s email servers to send and receive communications from Lisa Miller therefore waived whatever privilege such communications may have had. *See In re Asia Global Crossing, Ltd.*, 322 B.R. 247, 257 (S.D.N.Y. 2005) (employee use of employer-monitored email server may waive attorney–client privilege); *see also von Bulow*, 828 F.2d at 101 (client may impliedly waive privilege through actions of attorney).

Furthermore, Plaintiffs allege facts in the Complaint that indicate that Defendants were involved in the conspiracy, and therefore may have been communicating with Lisa Miller via email about it, well before Defendants’ September 12, 2009 cut-off date. Most pertinently, Plaintiffs allege that Defendant Philip Zodhiates offered Liberty Counsel a “personal option” for Lisa Miller “in *early* 2009,” Compl., ECF 223 ¶ 29 (emphasis added), and that Lisa Miller told Andrew Yoder that Liberty Counsel had told her that it “would be in her best interests to disappear,” *id.* ¶ 41. Such communications would not be privileged, because “[t]he crime-fraud

exception removes the privilege from those attorney-client communications that are related to client communications in furtherance of contemplated or ongoing criminal or fraudulent conduct.” *See, e.g., Chevron Corp. v. Salazar*, 275 F.R.D. 437, 451 (S.D.N.Y. 2011).

The Court determined that these facts state claims that Defendants conspired to kidnap Isabella and to deprive both her and Jenkins of their civil rights. Op. & Order, ECF 277, at 33–35. Defendants cannot now excuse themselves from the discovery process based on nothing more than their own assurances that their conduct was lawful. Moreover, speculation that responsive documents “would likely all be privileged” falls far short of fulfilling Defendants’ burden to establish that the attorney–client privilege applies in a manner that permits Plaintiffs and the Court to assess those claims in a meaningful way—particularly given Plaintiffs’ specific examples of documents to which the privilege would not apply.

C. Requests 17–18

Requests 17–18 seek all documents and communications concerning the Dispute and the Court Orders, respectively. Reqs. to Lindevaldsen, Ex. 1, at 9; Reqs. to Liberty Counsel, Ex. 2, at 9. Defendants raise several objections to Requests 17–18.

First, Defendants state that “[i]t is also unreasonable for Plaintiff to purport to require Defendant to search for and produce every document or communication Defendant has had with any person in the entire world about anything having to do with every aspect of the ‘Dispute’ [or the Court Orders] and the numerous court cases it comprises, over the course of 18 years.” Reqs., Ex. 6, at 14. Defendants’ speculative objection to conducting a reasonable inquiry into Requests 17–18 violates their responsibility to object with specificity. *See supra*, at 4.

Second, Defendants attempt to limit the Requests by stating that they have no responsive documents “as to Lisa or Isabella Miller’s disappearance in 2009 or their whereabouts since

2009.” Resps., Ex. 6, at 14. As with Request 8, this response tells Plaintiffs almost nothing and amounts to little more than a blanket denial of liability. Moreover, it excludes a wide swath of relevant responsive documents that Plaintiffs have reason to believe exist.

Finally, regarding nonpublic documents responsive to these Requests, Defendants parrot their speculative response to Requests 11 and 12—that such “documents and communications would be about Defendant’s lawful representation of Miller in the ‘Dispute,’ and would not have been about the unlawful conduct alleged in this lawsuit” and “would likely all be privileged.” *Id.* As with Requests 8, 11, 12, the lack of particularized facts in this response frustrates any attempt by Plaintiffs to negotiate with Defendants about these Requests.

D. Request 19, 35, 36, 47, and 48

Requests 19, 35, and 47 request, respectively, all communications on the day that Rutland Family Court transferred custody of Isabella to Jenkins (November 20, 2009), Reqs. to Lindevaldsen, Ex. 1, at 9; Reqs. to Liberty Counsel, Ex. 2, at 9; the days surrounding Isabella’s kidnapping (September 20–22, 2009), *id.* at 11; and the week when Lisa’s and Isabella’s belongings were removed from their Virginia home to be sent to them in Nicaragua (November 9–13, 2009), *id.* at 12.

Request 36 seeks “all documents and communications concerning events that happened, or were planned or expected to happen” on the days surrounding Isabella’s kidnapping (September 20–22, 2009), *id.* at 11; while Request 48 makes the same request regarding the week of November 9 through November 13, 2009, *id.* at 13. During the conferences, Plaintiffs clarified that these Requests referred only to events in which Lindevaldsen, Liberty Counsel, or any other co-conspirator was personally involved or attended. *See* Clemons Letter, Ex. 5, at 3, 4.

Defendants have produced no additional documents in response to this clarification. *See* Clemons Decl. ¶ 9.

Defendants object to these Requests with identical language, stating that it is “unreasonable for Plaintiffs to purport to require Defendant[s] to search for and produce all documents and communications” on the specified dates or about events on the specified dates. Nevertheless, Defendants aver that they have “no responsive documents in [their] custody, possession or control about any plan or expectation involving Lisa or Isabella Miller’s disappearance” or “their whereabouts since 2009, or as to any other alleged unlawful act at issue in this lawsuit.” Resps., Ex. 6, at 15, 20–21, 23–24. Defendants’ speculative objections to conducting a reasonable inquiry into these Requests violate their responsibility to object with specificity. *See supra*, at 4.

Moreover, Defendants’ responses to these Requests reflect their extremely limited view of relevance. The dates specified by these Requests are the dates of (and the dates immediately surrounding) some of the most important events in this case. A full picture of Defendants’ conduct and communications on these dates is essential to Plaintiffs’ case. Again, Plaintiffs are not particularly surprised to learn that Lindevaldsen does not have an entry labelled “Pack up Lisa’s house with Linda, 2-4 p.m.” in her daybook for November 9, 2009; nor a note to her assistant on September 21, 2009, that says, “Gone to drive Lisa and Isabella to the border. Hold my mail.” But the broad scope of Rule 26 does not limit Plaintiffs to such “smoking guns.” *See Connolly*, 2018 WL 4462368, at *5.

An exchange between counsel during the meet-and-confer is particularly illustrative of this discovery dispute. Attempting to come up with an example of a communication on a specified date that would obviously be irrelevant, Defendants’ counsel asked, “What about a note

that Ms. Lindevaldsen left on the refrigerator to her daughter that said ‘See you at your ballet recital tonight, sweetie!’?” Plaintiffs’ counsel responded that such a note actually could be relevant because it would indicate Lindevaldsen’s intended whereabouts for the evening. This is a rather extreme example of a nonetheless valid proposition: seemingly unrelated documents and communications can provide information about Defendants’ whereabouts, conduct, and companions on these critical dates and therefore fall within broad scope of Rule 26.³

III. Defendants’ First Amendment Objections to Relevant Requests Have No Basis in Law (Category 3).

Requests 64–69 seek all documents and communications concerning Defendants’ policies and positions on a number of subjects, including same-sex marriages, civil unions, or relationships (Request 64); whether homosexual persons should have custody of or visitation with children (Request 65); the relative supremacy of secular law over religion, morality, ethics, or conscience (Request 66) and vice versa (Request 67); compliance or noncompliance with the Court Orders (Request 68); and whether Jenkins should have custody of or visitation with Isabella. Reqs. to Lindevaldsen, Ex. 1, at 15; Reqs. to Liberty Counsel, Ex. 2, at 15.

Defendants object to these requests with identical language, including that they are “irrelevant and not likely to lead to discovery of admissible evidence.” Resps., Ex. 6, at 27–28. During the meet and confer, Plaintiffs explained that these Requests seek information related to Defendants’ motivations and willingness to participate in the conspiracy, including Defendants’ animus against LGBT people. Defendants contend that mere opposition to same-sex marriage

³ Defendants’ counsel engaged in similar speculation about the kinds of documents and communications that might exist but would be privileged or too personal to justify their production. Plaintiffs’ counsel responded that Plaintiffs will consider privacy concerns regarding actual documents on a case-by-case basis. Plaintiffs’ counsel further responded that privilege claims should be made using a privilege log, which Defendants have refused to produce. Clemons Letter, Ex. 5, at 3.

does not constitute anti-LGBT animus. But in its September 29, 2017 Order, this Court noted that “denying that right to personal choice [in marriage] on the basis of sexual orientation ‘has the effect of teaching that gays and lesbians are unequal in important respects. It demeans gays and lesbians for the State to lock them out of a central institution of the Nation's society.’” Op. & Order, ECF 277, at 16 (quoting *Obergefell v. Hodges*, 135 S. Ct. 2584, 2598, 2602 (2015)).

Defendants also object to these Requests on the grounds that they “violate the First Amendment.” Resp., Ex. 6, at 27–28. Defendants believe that having to explain their views on these subjects might have a “chilling effect” on their expression. Defendants have failed to provide Plaintiffs with any authority indicating that responsive documents may be withheld on that basis, despite being repeatedly asked and agreeing to do so. *See* Clemons Letter, Ex. 5, at 5.

Plaintiffs’ own research has revealed no authority for a “First Amendment privilege” in discovery, apart from that articulated by *NAACP v. Alabama*, 357 U.S. 449 (1958), and its progeny, which confirms that there is such a privilege with respect to information that would significantly impinge upon a party’s freedom of association. But even those courts that have stretched that privilege to its furthest limit—none of them in the Second Circuit—have required some nexus between the chilling of political association and disclosure of the requested information. Such courts require the party claiming the privilege to show that production “will result in (1) harassment, membership withdrawal, or discouragement of new members, or (2) other consequences which objectively suggest an impact on, or ‘chilling’ of, the members’ associational rights.” *Dunnet Bay Const. Co. v. Hannig*, No. 10-cv-3051, 2011 WL 5417123, at *3 (C.D. Ill. Nov. 9, 2011) (quoting *Perry v. Schwarzenegger*, 591 F.3d 1126, 1140 (9th Cir. 2009)).

Even if such a showing is made, the information must still be produced if the requesting party shows that it is essential to the case and could not be obtained by other, less chilling means. *Id.* at *4. In *Perry*, for example, the Ninth Circuit forbade the subpoena of internal communications of the Proposition 8 campaign based on the sworn declaration of a proponent that he would be less likely to engage in political action in the future if doing so exposed his private communications to discovery. *Perry*, 591 F.3d at 1144.

Even assuming that the *Perry* test is correct, Defendants cannot plausibly claim that producing information concerning their positions on the subjects in these Requests would chill their membership or expression. Indeed, over the past two decades Liberty Counsel has waged multiple fundraising campaigns on its opposition to same-sex marriage and parenting generally, and against Jenkins's right to be Isabella's mother specifically. *See* Compl., ECF 223 ¶ 29. Lindevaldsen has written a book on those subjects and taught it in her law school classroom. *Id.* ¶ 62. Regardless, the information sought by these Requests is essential to establishing the animus required for Plaintiffs to prove their federal civil right claims. The First Amendment provides no barrier to that discovery.

CONCLUSION

For these reasons, Plaintiffs' motion to compel should be granted and Defendants should be ordered to: (1) conduct searches to determine the universe of responsive documents; (2) negotiate in good faith with Plaintiffs to narrow the Requests for which the results of those searches reasonably justify overbreadth or undue burden objections; (3) produce all responsive, nonprivileged documents; and (4) produce privilege logs for all privileged documents.

July 23, 2019

Respectfully submitted.



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Counsel for Plaintiffs

Exhibit 1

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT**

JANET JENKINS, et al.,

Plaintiffs,

v.

No. 2:12-cv-184-WKS

KENNETH L. MILLER, et al.,

Defendants.

**PLAINTIFFS' FIRST SET OF REQUESTS FOR PRODUCTION
TO DEFENDANT RENA LINDEVALDSEN**

Plaintiffs Janet Jenkins and Isabella Miller-Jenkins, pursuant to Federal Rule of Civil Procedure 34, request that Defendant Rena Lindevaldsen produce the following documents and things for inspection and copying at the offices of the Southern Poverty Law Center, c/o Beth D. Jacob, 400 Washington Avenue, Montgomery, Alabama 36104, within thirty days of receipt.

DEFINITIONS

1. "Aid" means help or assistance in any form, including but not limited to gifts, loans, advice, recommendations, suggestions, ideas, introductions, favors, and provision of services.

2. "Communication" means the transmittal of information (in the form of facts, ideas, inquiries, or otherwise), including but not limited to telephone calls, voice recordings, emails, text messages, letters, postcards, notes, cards, instant messages, text chats, voice chats, tweets, notes, memoranda, speeches, lectures, seminars, conferences, and conversations.

3. "Complaint" means the Revised Second Amended Complaint and Demand for Trial by Jury, ECF 223, filed in this case on May 4, 2017.

4. “Concerning” means relating to, referring to, describing, evidencing, or constituting.

5. “Court Orders” means any order issued or expected to be issued by a state court of Vermont or Virginia concerning Plaintiff Isabella Miller-Jenkins, including but not limited to any order issued in the Vermont Proceedings, including but not limited to the Custody Transfer Order, or in the Virginia Proceedings.

6. “Custody Transfer Order” means the November 20, 2009 order by the Vermont Superior Court, Rutland County Division, in *Miller-Jenkins v. Miller-Jenkins*, No. 454-11-03 Rddm (Vt. Super. Ct. Rutland Fam. Div.), ordering, among other things, that Plaintiff Janet Jenkins have sole physical and legal custody of Plaintiff Isabella Miller-Jenkins and that transfer of Plaintiff Isabella Miller-Jenkins occur at the home of Plaintiff Janet Jenkins’s parents in Virginia on January 1, 2010, at 1:00 p.m.

7. “Dispute” means the disagreement between Plaintiff Janet Jenkins and Defendant Lisa Miller over parental rights concerning Plaintiff Isabella Miller-Jenkins, including but not limited to the Vermont Proceedings and the Virginia Proceedings.

8. “Document” is defined to be synonymous in meaning and equal in scope to the usage of the term “documents or electronically stored information” (ESI) in Federal Rule of Civil Procedure 34(a)(1)(A). A draft or nonidentical copy is a separate document within the meaning of this term.

9. “Identify,” when referring to a person, means to produce documents sufficient to show the person’s full name, present or last known address, present or last known phone number, present or last known email address, and when referring to a natural person, the present or last known place of employment.

10. “Identify,” when referring to documents, means to produce documents sufficient to show the type of document, general subject matter, date of the document, and authors, addressees, and recipients.

11. “Identify,” when referring to social media, means to produce documents sufficient to show the name of the social media platform; the Uniform Resource Locator for the platform; any names, handles, usernames, accounts, or profiles, including but not limited to any account or identification number; and the owner of the account.

12. “Isabella Miller-Jenkins” means Plaintiff Isabella Miller-Jenkins, regardless of the name used by her or to refer to her, including but not limited to the name “Lydia,” who was the minor child subject of the Custody Transfer Order.

13. “Lisa Miller” means Defendant Lisa Miller, regardless of the name used by her or to refer to her, including but not limited to the names “Lisa Miller-Jenkins” and “Sarah,” who was a party in the Vermont Proceedings and the Virginia Proceedings and who is a parent of Plaintiff Isabella Miller-Jenkins.

14. The terms “Plaintiff” and “Defendant,” as well as a party’s full or abbreviated name or a pronoun referring to a party, mean the party, regardless of the name used by the party or to refer to the party, and where applicable, the party’s successors and predecessors in interest, and the party’s current and former officers, directors, employees, partners, parents, subsidiaries, affiliates, agents, consultants, and others purporting to act on the party’s behalf. This definition is not intended to impose a discovery obligation on any person who is not a party to the litigation.

15. “Person” means any natural person or any legal entity, including but not limited to any governmental entity or association or any business entity or association, including but not limited to its successors and predecessors in interest, and its current and former officers,

directors, employees, partners, parents, subsidiaries, affiliates, agents, consultants, and others purporting to act on its behalf.

16. “Requests” means the Requests for Production set forth in this document.

17. “Vermont Proceedings” means any Vermont state court case concerning Plaintiff

Isabella Miller-Jenkins, including but not limited to:

- a. *Miller-Jenkins v. Miller-Jenkins*, No. 2007-271 (Vt.);
- b. *Miller-Jenkins v. Miller-Jenkins*, No. 2009-473 (Vt.);
- c. *Miller-Jenkins v. Miller-Jenkins*, No. 454-11-03 Rddm (Vt. Super. Ct. Rutland Fam. Div.); and
- d. *Miller-Jenkins v. Miller-Jenkins*, Nos. 2004-443, 2005-030 (Vt.).

18. “Virginia Proceedings” means any Virginia state court case concerning Plaintiff

Isabella Miller-Jenkins, including but not limited to:

- a. *Jenkins v. Miller*, No. CL09000723-00 (Va. Cir. Ct. Frederick Cty.);
- b. *Miller v. Jenkins*, No. JJ019920-01-00 (Va. Juv. & Dom. Rel. Dt. Ct. Bedford Cty.);
- c. *Miller-Jenkins v. Miller-Jenkins*, No. 070933 (Va. Ct. App.);
- d. *Miller v. Jenkins*, No. 0705-09-4 (Va. Ct. App.);
- e. *Miller-Jenkins v. Miller-Jenkins*, No. CH04-280 (Va. Cir. Ct. Frederick Cty.);
- f. *Miller-Jenkins v. Miller-Jenkins*, No. CH05-000336-00 (Va. Cir. Ct. Frederick Cty.); and
- g. *Miller-Jenkins v. Miller-Jenkins*, No. JJ018902-01-00 (Va. Juv. & Dom. Rel. Dt. Ct. Frederick Cty.).

19. “You” and “Your” refer to the party to whom this set of requests is directed, regardless of the name used by the party or to refer to the party, and where applicable, the party’s successors and predecessors in interest, and the party’s current and former officers, directors, employees, partners, parents, subsidiaries, affiliates, agents, consultants, and others purporting to act on the party’s behalf. This definition is not intended to impose a discovery obligation on any person who is not a party to the litigation.

20. The singular form of a noun or pronoun includes the plural form of the noun or pronoun, and vice versa. The gendered form of a noun or pronoun includes all gendered and nongendered forms of the noun or pronoun.

21. The past tense includes the present tense and vice versa, except where the clear meaning would be distorted.

22. The term “or” means “and” and vice versa to bring within the scope of these Requests all documents or ESI that would be excluded absent this definition.

INSTRUCTIONS

1. Provide all information and documents in Your possession, custody, or control in response to each Request.

2. For each Request that seeks production of documents, produce each such document in its entirety and all drafts and non-identical copies of each document.

3. If You are able or willing to provide only part of the information and documents sought by a Request, provide that partial information and documentation and specify in writing the reason for Your inability or unwillingness to provide the remainder.

4. When responding to these Requests, state in writing as to each Request either that:
- a. there are such documents and they will be produced;
 - b. there are such documents and that they already have been produced;

- c. there are such documents, but You refuse to produce them because of a claim of privilege or for some other identified reason; or
- d. the documents requested do not exist.

5. For every objection to a Request, specify in writing the grounds for objecting to the Request, including the reasons, whether any responsive materials are being withheld on the basis of that objection, and the parts of the documents being withheld on the basis of that objection. Produce the parts of the document not being withheld on the basis of an objection.

6. For every document or part of a document withheld from production because of an assertion of privilege, identify the nature of the claimed privilege (including work product) and, if the privilege is governed by state law, identify the state's privilege rule being invoked.

7. If any document sought by these Requests has been destroyed or no longer exists, state as to each such document its date, authors, recipients, contents, and the date and circumstances of its destruction or ceasing to exist.

8. If any answer to these Requests is made upon information and belief, so state and set forth and identify the sources of such information and belief. If You lack the knowledge necessary to answer any of these Requests, so state.

9. For every document or part of document withheld from production, provide the following information with respect to each such document, in a single privilege log in a Microsoft Excel Worksheet (.xlsx) file with clearly marked rows for each document and ESI withheld and clearly marked columns for each descriptor used:

- a. First Bates number;
- b. Last Bates number;
- c. Type of document (for example, memorandum, email, letter);

- d. Subject matter;
- e. Date;
- f. Title;
- g. Authors;
- h. Recipients;
- i. Relationship of authors and recipients to each other;
- j. Person asserting the privilege; and
- k. Nature of the claimed privilege (including work product) and, if the privilege is governed by state law, the state's privilege rule being invoked.

10. If You cannot fully and completely answer any of these Requests, separately respond to each such Request to the extent possible, stating with specificity the reasons for Your inability to answer the remainder, the substance of Your knowledge, information, and belief concerning the subject matter of the unanswered portion, and the steps taken to locate any responsive documents.

11. Furnish all responsive documents available to You or in your custody or control.

12. Unless otherwise stated in a Request, the applicable timeframe begins on December 18, 2000.

13. These Requests are continuing. If, after responding to these Requests, You obtain or become aware of any additional facts, information, or documents responsive to these Requests, supplement or correct Your response as required by the Federal Rules of Civil Procedure and Local Rules.

14. Plaintiffs reserve the right to serve additional Requests.

REQUESTS FOR PRODUCTION

1. All documents disclosed or identified in Your initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1)(A)(ii).
2. All documents that support Your defenses to the claims alleged in the Complaint.
3. All documents that contradict Your defenses to or that support the claims alleged in the Complaint.
4. All documents and communications concerning Plaintiff Janet Jenkins.
5. All documents and communications concerning Plaintiff Isabella Miller-Jenkins.
6. All documents and communications concerning Defendant Lisa Miller.
7. All communications with Plaintiff Isabella Miller-Jenkins.
8. All communications with Defendant Lisa Miller.
9. Documents sufficient to identify and disclose all telephone numbers; email addresses; international calling services, including but not limited to PennyTalk and VIVOphone; electronic means of communication; communications applications accounts, including but not limited to WhatsApp, Viber, and Signal; and social media accounts or applications, including but not limited to Facebook, Twitter, Snapchat, and Instagram, used by Defendant Lisa Miller from 2002 to date.
10. Documents sufficient to Identify and disclose all telephone numbers; email addresses; international calling services, including but not limited to PennyTalk and VIVOphone; electronic means of communication; communications applications accounts, including but not limited to WhatsApp, Viber, and Signal; and social media accounts or applications, including but not limited to Facebook, Twitter, Snapchat, and Instagram, used by or on behalf of Plaintiff Isabella Miller-Jenkins from 2002 to date.

11. All communications with zeusdesfor@aol.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

12. All communications with god1ofchild@live.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

13. All communications with the Skype account with the username childofjesus1 concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

14. All communications with the Facebook account with identification number 1539940246 concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

15. All documents and communications concerning names, aliases, or identities used by Defendant Lisa Miller.

16. All documents and communications concerning names, aliases, or identities used by Plaintiff Isabella Miller-Jenkins.

17. All documents and communications concerning the Dispute.

18. All documents and communications concerning the Court Orders.

19. All communications on November 20, 2009.

20. All documents and communications concerning the Protect Isabella Coalition.

21. All documents and communications concerning the website

www.protectisabella.com.

22. All documents and communications concerning the Only One Mommy Facebook group, identification number 81022155363.

23. All documents and communications concerning

<http://imgodschild.wordpress.com>.

24. All documents and communications concerning

http://works.bepress.com/rena_lindevaldsen/ concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

25. All documents and communications concerning <http://www.debbiethurman.com/>

concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

26. All documents concerning and communications concerning

<http://www.theformers.wordpress.com/> concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

27. All documents and communications concerning <https://lezgetreal.com/> concerning

the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua, and any visits or posts by Defendant Lisa Miller.

28. All documents and communications concerning <https://www.lifesitenews.com/> concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

29. All communications with Matthew Cullinan Hoffman concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

30. Documents sufficient to show Defendant Lisa Miller's whereabouts from September 13, 2003, through September 19, 2009.

31. Documents sufficient to show Plaintiff Isabella Miller-Jenkins's whereabouts from April 16, 2002, through September 19, 2009.

32. All documents, regardless of when created or dated, concerning Defendant Lisa Miller's whereabouts from September 20, 2009, to date.

33. All documents, regardless of when created or dated, concerning Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date.

34. All documents and communications concerning Your whereabouts on September 20, 2009, September 21, 2009, and September 22, 2009.

35. All communications on September 20, 2009, September 21, 2009, and September 22, 2009.

36. All documents and communications concerning events that happened, or were planned or expected to happen, on September 20, 2009, September 21, 2009, and September 22, 2009.

37. All documents and communications concerning Nicaragua.
38. All documents and communications concerning the Beachy Amish Mennonite Church in Nicaragua.
39. All communications with the Beachy Amish Mennonite Church in Nicaragua.
40. All documents and communications concerning any Aid directly or indirectly given to Defendant Lisa Miller concerning her compliance or noncompliance with the Court Orders.
41. All documents and communications concerning any Aid directly or indirectly given to Defendant Lisa Miller or Plaintiff Isabella Miller-Jenkins concerning their departure from 203B Greentree Drive, Forest, Virginia, in September 2009, travel to Canada, departure from the United States, travel to Nicaragua, living in Nicaragua, or remaining in Nicaragua.
42. All documents and communications concerning Defendant Lisa Miller's efforts to remain undetected by United States authorities, including but not limited to Aid directly or indirectly given to her to allow her to avoid such detection.
43. All documents and communications concerning jesman21@gmail.com.
44. All communications with jesman21@gmail.com.
45. All communications with Jessica Fehr.
46. All documents and communications concerning 203B Greentree Drive, Forest, Virginia, including but not limited to payment of rent and the removal and storage of personal property.
47. All communications on November 8, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009.

48. All documents and communications concerning events that happened, or were planned or expected to happen, on November 8, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009.

49. All communications with Anthony Phelps, the landlord of 203B Greentree Drive, Forest, Virginia.

50. Documents sufficient to identify all telephone numbers, including but not limited to landlines and cellular lines or applications, used by You in 2009 to date.

51. Documents sufficient to identify all email addresses used by You in 2009 to date.

52. Documents sufficient to identify all international calling services and the accounts or numbers, including but not limited to PennyTalk and VIVOphone, used by You in 2009 to date.

53. Documents sufficient to identify social media and electronic means of communication used by You in 2009 to date.

54. All communications with the Facebook account of Lisa Wall, identification number 1436421487, concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

55. All communications with wall4america@netzero.net concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

56. All communications with the Facebook account of Beth Ehrhorn, identification number 1072853392, concerning the Dispute; Defendant Lisa Miller's whereabouts from

September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

57. All communications with behrhorn@aol.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

58. All communications with the Facebook account of Sarah Bloedorn, identification number 1371510997, concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

59. All communications with qtjars@gmail.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

60. All communications with timjomiller@gmail.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

61. All communications with kingdomseeker1@gmail.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

62. All communications with millersofwaslala@gmail.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-

Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

63. All communications with philipz@responseunlimited.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

64. All documents and communications concerning Your opinions or beliefs concerning same-sex marriage, same-sex civil unions, or same-sex relationships.

65. All documents and communications concerning Your opinions or beliefs concerning whether homosexual persons should have custody of or visitation with children.

66. All documents and communications concerning Your opinions or beliefs concerning the relative supremacy of secular law (including but not limited to court orders and court opinions) over religion, morality, ethics, or conscience.

67. All documents and communications concerning Your opinions or beliefs concerning the relative supremacy of religion, morality, ethics, or conscience over secular law (including but not limited to court orders and court opinions).

68. All documents and communications concerning Your opinions or beliefs concerning compliance or noncompliance with the Court Orders.

69. All documents and communications concerning Your opinions or beliefs concerning whether Plaintiff Janet Jenkins should have custody of or visitation with Plaintiff Isabella Miller-Jenkins.

June 27, 2018

Respectfully submitted.

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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this date the foregoing document was served via U.S. mail to the following:

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Counsel for Defendants Liberty Counsel and Rena M. Lindevaldsen

June 27, 2018

/s/ Diego A. Soto
Diego A. Soto

Exhibit 2

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT**

JANET JENKINS, et al.,

Plaintiffs,

v.

No. 2:12-cv-184-WKS

KENNETH L. MILLER, et al.,

Defendants.

**PLAINTIFFS' FIRST SET OF REQUESTS FOR PRODUCTION
TO DEFENDANT LIBERTY COUNSEL**

Plaintiffs Janet Jenkins and Isabella Miller-Jenkins, pursuant to Federal Rule of Civil Procedure 34, request that Defendant Liberty Counsel produce the following documents and things for inspection and copying at the offices of the Southern Poverty Law Center, c/o Beth D. Jacob, 400 Washington Avenue, Montgomery, Alabama 36104, within thirty days of receipt.

DEFINITIONS

1. "Aid" means help or assistance in any form, including but not limited to gifts, loans, advice, recommendations, suggestions, ideas, introductions, favors, and provision of services.

2. "Communication" means the transmittal of information (in the form of facts, ideas, inquiries, or otherwise), including but not limited to telephone calls, voice recordings, emails, text messages, letters, postcards, notes, cards, instant messages, text chats, voice chats, tweets, notes, memoranda, speeches, lectures, seminars, conferences, and conversations.

3. "Complaint" means the Revised Second Amended Complaint and Demand for Trial by Jury, ECF 223, filed in this case on May 4, 2017.

4. “Concerning” means relating to, referring to, describing, evidencing, or constituting.

5. “Court Orders” means any order issued or expected to be issued by a state court of Vermont or Virginia concerning Plaintiff Isabella Miller-Jenkins, including but not limited to any order issued in the Vermont Proceedings, including but not limited to the Custody Transfer Order, or in the Virginia Proceedings.

6. “Custody Transfer Order” means the November 20, 2009 order by the Vermont Superior Court, Rutland County Division, in *Miller-Jenkins v. Miller-Jenkins*, No. 454-11-03 Rddm (Vt. Super. Ct. Rutland Fam. Div.), ordering, among other things, that Plaintiff Janet Jenkins have sole physical and legal custody of Plaintiff Isabella Miller-Jenkins and that transfer of Plaintiff Isabella Miller-Jenkins occur at the home of Plaintiff Janet Jenkins’s parents in Virginia on January 1, 2010, at 1:00 p.m.

7. “Dispute” means the disagreement between Plaintiff Janet Jenkins and Defendant Lisa Miller over parental rights concerning Plaintiff Isabella Miller-Jenkins, including but not limited to the Vermont Proceedings and the Virginia Proceedings.

8. “Document” is defined to be synonymous in meaning and equal in scope to the usage of the term “documents or electronically stored information” (ESI) in Federal Rule of Civil Procedure 34(a)(1)(A). A draft or nonidentical copy is a separate document within the meaning of this term.

9. “Identify,” when referring to a person, means to produce documents sufficient to show the person’s full name, present or last known address, present or last known phone number, present or last known email address, and when referring to a natural person, the present or last known place of employment.

10. “Identify,” when referring to documents, means to produce documents sufficient to show the type of document, general subject matter, date of the document, and authors, addressees, and recipients.

11. “Identify,” when referring to social media, means to produce documents sufficient to show the name of the social media platform; the Uniform Resource Locator for the platform; any names, handles, usernames, accounts, or profiles, including but not limited to any account or identification number; and the owner of the account.

12. “Isabella Miller-Jenkins” means Plaintiff Isabella Miller-Jenkins, regardless of the name used by her or to refer to her, including but not limited to the name “Lydia,” who was the minor child subject of the Custody Transfer Order.

13. “Lisa Miller” means Defendant Lisa Miller, regardless of the name used by her or to refer to her, including but not limited to the names “Lisa Miller-Jenkins” and “Sarah,” who was a party in the Vermont Proceedings and the Virginia Proceedings and who is a parent of Plaintiff Isabella Miller-Jenkins.

14. The terms “Plaintiff” and “Defendant,” as well as a party’s full or abbreviated name or a pronoun referring to a party, mean the party, regardless of the name used by the party or to refer to the party, and where applicable, the party’s successors and predecessors in interest, and the party’s current and former officers, directors, employees, partners, parents, subsidiaries, affiliates, agents, consultants, and others purporting to act on the party’s behalf. This definition is not intended to impose a discovery obligation on any person who is not a party to the litigation.

15. “Person” means any natural person or any legal entity, including but not limited to any governmental entity or association or any business entity or association, including but not limited to its successors and predecessors in interest, and its current and former officers,

directors, employees, partners, parents, subsidiaries, affiliates, agents, consultants, and others purporting to act on its behalf.

16. “Requests” means the Requests for Production set forth in this document.

17. “Vermont Proceedings” means any Vermont state court case concerning Plaintiff

Isabella Miller-Jenkins, including but not limited to:

- a. *Miller-Jenkins v. Miller-Jenkins*, No. 2007-271 (Vt.);
- b. *Miller-Jenkins v. Miller-Jenkins*, No. 2009-473 (Vt.);
- c. *Miller-Jenkins v. Miller-Jenkins*, No. 454-11-03 Rddm (Vt. Super. Ct. Rutland Fam. Div.); and
- d. *Miller-Jenkins v. Miller-Jenkins*, Nos. 2004-443, 2005-030 (Vt.).

18. “Virginia Proceedings” means any Virginia state court case concerning Plaintiff

Isabella Miller-Jenkins, including but not limited to:

- a. *Jenkins v. Miller*, No. CL09000723-00 (Va. Cir. Ct. Frederick Cty.);
- b. *Miller v. Jenkins*, No. JJ019920-01-00 (Va. Juv. & Dom. Rel. Dt. Ct. Bedford Cty.);
- c. *Miller-Jenkins v. Miller-Jenkins*, No. 070933 (Va. Ct. App.);
- d. *Miller v. Jenkins*, No. 0705-09-4 (Va. Ct. App.);
- e. *Miller-Jenkins v. Miller-Jenkins*, No. CH04-280 (Va. Cir. Ct. Frederick Cty.);
- f. *Miller-Jenkins v. Miller-Jenkins*, No. CH05-000336-00 (Va. Cir. Ct. Frederick Cty.); and
- g. *Miller-Jenkins v. Miller-Jenkins*, No. JJ018902-01-00 (Va. Juv. & Dom. Rel. Dt. Ct. Frederick Cty.).

19. “You” and “Your” refer to the party to whom this set of requests is directed, regardless of the name used by the party or to refer to the party, and where applicable, the party’s successors and predecessors in interest, and the party’s current and former officers, directors, employees, partners, parents, subsidiaries, affiliates, agents, consultants, and others purporting to act on the party’s behalf. This definition is not intended to impose a discovery obligation on any person who is not a party to the litigation.

20. The singular form of a noun or pronoun includes the plural form of the noun or pronoun, and vice versa. The gendered form of a noun or pronoun includes all gendered and nongendered forms of the noun or pronoun.

21. The past tense includes the present tense and vice versa, except where the clear meaning would be distorted.

22. The term “or” means “and” and vice versa to bring within the scope of these Requests all documents or ESI that would be excluded absent this definition.

INSTRUCTIONS

1. Provide all information and documents in Your possession, custody, or control in response to each Request.

2. For each Request that seeks production of documents, produce each such document in its entirety and all drafts and non-identical copies of each document.

3. If You are able or willing to provide only part of the information and documents sought by a Request, provide that partial information and documentation and specify in writing the reason for Your inability or unwillingness to provide the remainder.

4. When responding to these Requests, state in writing as to each Request either that:
- a. there are such documents and they will be produced;
 - b. there are such documents and that they already have been produced;

- c. there are such documents, but You refuse to produce them because of a claim of privilege or for some other identified reason; or
- d. the documents requested do not exist.

5. For every objection to a Request, specify in writing the grounds for objecting to the Request, including the reasons, whether any responsive materials are being withheld on the basis of that objection, and the parts of the documents being withheld on the basis of that objection. Produce the parts of the document not being withheld on the basis of an objection.

6. For every document or part of a document withheld from production because of an assertion of privilege, identify the nature of the claimed privilege (including work product) and, if the privilege is governed by state law, identify the state's privilege rule being invoked.

7. If any document sought by these Requests has been destroyed or no longer exists, state as to each such document its date, authors, recipients, contents, and the date and circumstances of its destruction or ceasing to exist.

8. If any answer to these Requests is made upon information and belief, so state and set forth and identify the sources of such information and belief. If You lack the knowledge necessary to answer any of these Requests, so state.

9. For every document or part of document withheld from production, provide the following information with respect to each such document, in a single privilege log in a Microsoft Excel Worksheet (.xlsx) file with clearly marked rows for each document and ESI withheld and clearly marked columns for each descriptor used:

- a. First Bates number;
- b. Last Bates number;
- c. Type of document (for example, memorandum, email, letter);

- d. Subject matter;
- e. Date;
- f. Title;
- g. Authors;
- h. Recipients;
- i. Relationship of authors and recipients to each other;
- j. Person asserting the privilege; and
- k. Nature of the claimed privilege (including work product) and, if the privilege is governed by state law, the state's privilege rule being invoked.

10. If You cannot fully and completely answer any of these Requests, separately respond to each such Request to the extent possible, stating with specificity the reasons for Your inability to answer the remainder, the substance of Your knowledge, information, and belief concerning the subject matter of the unanswered portion, and the steps taken to locate any responsive documents.

11. Furnish all responsive documents available to You or in your custody or control.

12. Unless otherwise stated in a Request, the applicable timeframe begins on December 18, 2000.

13. These Requests are continuing. If, after responding to these Requests, You obtain or become aware of any additional facts, information, or documents responsive to these Requests, supplement or correct Your response as required by the Federal Rules of Civil Procedure and Local Rules.

14. Plaintiffs reserve the right to serve additional Requests.

REQUESTS FOR PRODUCTION

1. All documents disclosed or identified in Your initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1)(A)(ii).
2. All documents that support Your defenses to the claims alleged in the Complaint.
3. All documents that contradict Your defenses to or that support the claims alleged in the Complaint.
4. All documents and communications concerning Plaintiff Janet Jenkins.
5. All documents and communications concerning Plaintiff Isabella Miller-Jenkins.
6. All documents and communications concerning Defendant Lisa Miller.
7. All communications with Plaintiff Isabella Miller-Jenkins.
8. All communications with Defendant Lisa Miller.
9. Documents sufficient to identify and disclose all telephone numbers; email addresses; international calling services, including but not limited to PennyTalk and VIVOphone; electronic means of communication; communications applications accounts, including but not limited to WhatsApp, Viber, and Signal; and social media accounts or applications, including but not limited to Facebook, Twitter, Snapchat, and Instagram, used by Defendant Lisa Miller from 2002 to date.
10. Documents sufficient to Identify and disclose all telephone numbers; email addresses; international calling services, including but not limited to PennyTalk and VIVOphone; electronic means of communication; communications applications accounts, including but not limited to WhatsApp, Viber, and Signal; and social media accounts or applications, including but not limited to Facebook, Twitter, Snapchat, and Instagram, used by or on behalf of Plaintiff Isabella Miller-Jenkins from 2002 to date.

11. All communications with zeusdesfor@aol.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

12. All communications with god1ofchild@live.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

13. All communications with the Skype account with the username childofjesus1 concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

14. All communications with the Facebook account with identification number 1539940246 concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

15. All documents and communications concerning names, aliases, or identities used by Defendant Lisa Miller.

16. All documents and communications concerning names, aliases, or identities used by Plaintiff Isabella Miller-Jenkins.

17. All documents and communications concerning the Dispute.

18. All documents and communications concerning the Court Orders.

19. All communications on November 20, 2009.

20. All documents and communications concerning the Protect Isabella Coalition.

21. All documents and communications concerning the website

www.protectisabella.com.

22. All documents and communications concerning the Only One Mommy Facebook group, identification number 81022155363.

23. All documents and communications concerning

<http://imgodschild.wordpress.com>.

24. All documents and communications concerning

http://works.bepress.com/rena_lindevaldsen/ concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

25. All documents and communications concerning <http://www.debbiethurman.com/>

concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

26. All documents concerning and communications concerning

<http://www.theformers.wordpress.com/> concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

27. All documents and communications concerning <https://lezgetreal.com/> concerning

the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua, and any visits or posts by Defendant Lisa Miller.

28. All documents and communications concerning <https://www.lifesitenews.com/> concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

29. All communications with Matthew Cullinan Hoffman concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

30. Documents sufficient to show Defendant Lisa Miller's whereabouts from September 13, 2003, through September 19, 2009.

31. Documents sufficient to show Plaintiff Isabella Miller-Jenkins's whereabouts from April 16, 2002, through September 19, 2009.

32. All documents, regardless of when created or dated, concerning Defendant Lisa Miller's whereabouts from September 20, 2009, to date.

33. All documents, regardless of when created or dated, concerning Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date.

34. All documents and communications concerning Your whereabouts on September 20, 2009, September 21, 2009, and September 22, 2009.

35. All communications on September 20, 2009, September 21, 2009, and September 22, 2009.

36. All documents and communications concerning events that happened, or were planned or expected to happen, on September 20, 2009, September 21, 2009, and September 22, 2009.

37. All documents and communications concerning Nicaragua.
38. All documents and communications concerning the Beachy Amish Mennonite Church in Nicaragua.
39. All communications with the Beachy Amish Mennonite Church in Nicaragua.
40. All documents and communications concerning any Aid directly or indirectly given to Defendant Lisa Miller concerning her compliance or noncompliance with the Court Orders.
41. All documents and communications concerning any Aid directly or indirectly given to Defendant Lisa Miller or Plaintiff Isabella Miller-Jenkins concerning their departure from 203B Greentree Drive, Forest, Virginia, in September 2009, travel to Canada, departure from the United States, travel to Nicaragua, living in Nicaragua, or remaining in Nicaragua.
42. All documents and communications concerning Defendant Lisa Miller's efforts to remain undetected by United States authorities, including but not limited to Aid directly or indirectly given to her to allow her to avoid such detection.
43. All documents and communications concerning jesman21@gmail.com.
44. All communications with jesman21@gmail.com.
45. All communications with Jessica Fehr.
46. All documents and communications concerning 203B Greentree Drive, Forest, Virginia, including but not limited to payment of rent and the removal and storage of personal property.
47. All communications on November 8, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009.

48. All documents and communications concerning events that happened, or were planned or expected to happen, on November 8, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009.

49. All communications with Anthony Phelps, the landlord of 203B Greentree Drive, Forest, Virginia.

50. Documents sufficient to identify all telephone numbers, including but not limited to landlines and cellular lines or applications, used by You in 2009 to date.

51. Documents sufficient to identify all email addresses used by You in 2009 to date.

52. Documents sufficient to identify all international calling services and the accounts or numbers, including but not limited to PennyTalk and VIVOfone, used by You in 2009 to date.

53. Documents sufficient to identify social media and electronic means of communication used by You in 2009 to date.

54. All communications with the Facebook account of Lisa Wall, identification number 1436421487, concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

55. All communications with wall4america@netzero.net concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

56. All communications with the Facebook account of Beth Ehrhorn, identification number 1072853392, concerning the Dispute; Defendant Lisa Miller's whereabouts from

September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

57. All communications with behrhorn@aol.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

58. All communications with the Facebook account of Sarah Bloedorn, identification number 1371510997, concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

59. All communications with qtjars@gmail.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

60. All communications with timjomiller@gmail.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

61. All communications with kingdomseeker1@gmail.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

62. All communications with millersofwaslala@gmail.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-

Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

63. All communications with philipz@responseunlimited.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins's whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

64. All documents and communications concerning Your policies or positions concerning same-sex marriage, same-sex civil unions, or same-sex relationships.

65. All documents and communications concerning Your policies or positions concerning whether homosexual persons should have custody of or visitation with children.

66. All documents and communications concerning Your policies or positions concerning the relative supremacy of secular law (including but not limited to court orders and court opinions) over religion, morality, ethics, or conscience.

67. All documents and communications concerning Your policies or positions concerning the relative supremacy of religion, morality, ethics, or conscience over secular law (including but not limited to court orders and court opinions).

68. All documents and communications concerning Your policies or positions concerning compliance or noncompliance with the Court Orders.

69. All documents and communications concerning Your policies or positions concerning whether Plaintiff Janet Jenkins should have custody of or visitation with Plaintiff Isabella Miller-Jenkins.

June 27, 2018

Respectfully submitted.

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CERTIFICATE OF SERVICE

I hereby certify that on this date the foregoing document was served via U.S. mail to the following:

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June 27, 2018

/s/ Diego A. Soto

Diego A. Soto

Exhibit 3

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT**

<hr/>)	
JANET JENKINS, ET AL.,))	
))	
Plaintiffs,))	
))	Docket No. 2:12-cv-00184
v.))	
))	
KENNETH L. MILLER, ET AL.,))	
))	
Defendants.))	
<hr/>)	

**DEFENDANT RENA M. LINDEVALDSEN’S RESPONSES AND OBJECTIONS
TO PLAINTIFF’ FIRST SET OF REQUEST FOR PRODUCTION**

Pursuant to Fed. R. Civ. P. 34, Defendant Rena M. Lindevaldsen, individually and as alleged agent of Liberty Counsel, Inc. (“Lindevaldsen” or “Defendant”), by and through counsel, hereby provides the following responses and objections to Plaintiff’s First Set of Requests for Production to Defendant Rena M. Lindevaldsen.

**GENERAL OBJECTIONS, AND OBJECTIONS
TO THE “DEFINITIONS” AND INSTRUCTIONS**

1. Defendant objects to the requests as premature and violative of Defendant’s constitutional guaranty not to be subject to litigation and binding adjudications in a forum in which she has no constitutionally sufficient contacts. Defendant does not waive any defenses, jurisdictional or otherwise, by providing these responses and objections.

2. Defendant objects to the requests to the extent they seek information protected from disclosure by the First Amendment and other constitutional guarantees, including the freedom of expression, freedom of association, freedom of religion, and freedom from intrusion of privacy.

3. Defendant objects to the requests to the extent they seek information that is protected by the attorney-client and work-product privileges, and virtually all requests seek such information.

4. Defendant objects to the requests to the extent they purport to require Defendant to produce documents that consist of publicly disseminated media reports, or documents that have already been produced or filed in any of the numerous civil or criminal cases related to the dispute between Lisa Miller and Janet Jenkins, or the disappearance of Lisa Miller. These documents are equally available to Plaintiff and Defendant from the same sources, and it would be unreasonable, unduly burdensome and not proportional to the needs of this case to require Defendant to re-produce them to Plaintiff.

5. Defendant's investigation and development of all facts and circumstances relating to this action is ongoing. Defendant will supplement the responses, objections, and document production as new and additional information is discovered, and as required under applicable rules.

6. By providing these responses, objections, and document production, Defendant does not waive, and hereby expressly reserves, the right to assert any and all objections as to their admissibility into evidence in this action, or in any other proceeding, on any and all grounds, including but not limited to relevancy, materiality, and privilege.

7. Defendant provides these responses, objections, and document production without in any way admitting or implying that they are relevant or material to the subject matter of this action. No admission as to the authenticity of any document produced is made or implied.

8. Defendant objects to Plaintiff's "Definitions" and "Instructions" to the extent they seek to impose obligations greater than those imposed by the Federal Rules of Civil Procedure, the

local rules of court, or other applicable authority. Defendant will respond in accordance with applicable rules and law.

9. Defendant objects to Plaintiff's definition of the term "Aid" as vague, ambiguous, overbroad and unduly burdensome. Defendant further objects to the term "Aid" to the extent it purports to include legal services or legal advice, as being violative of the attorney-client and work product privileges. Defendant will respond as if the term does not include legal services or legal advice.

10. Defendant objects to Plaintiff's definition of the term "Court Order" as vague and ambiguous because it purports to include orders "expected to be issued" by courts. Defendant will respond as if the term does not include orders "expected to be issued" and is limited to orders actually issued by courts.

11. Defendant objects to Plaintiff's definition of the terms "Defendant" "You" and "Your" as unintelligible, vague, overbroad and unduly burdensome, because it purports to include Defendant's successors and predecessors in interest, and Defendant's current and former officers, directors, employees, partners, parents, subsidiaries, affiliates, agents, consultants and others. Defendant is a natural person. Defendant will respond to these requests as required by applicable law and rules, and will reasonably search only for non-privileged, responsive documents in her custody, possession or control.

12. Defendant objects to Plaintiff's definition of the term "Vermont Proceedings" as vague and ambiguous because it purports to include proceedings other than those enumerated therein. Defendant will respond as if the term is limited to the proceedings enumerated therein.

13. Defendant objects to Plaintiff's definition of the term "Virginia Proceedings" as vague and ambiguous because it purports to include proceedings other than those enumerated therein. Defendant will respond as if the term is limited to the proceedings enumerated therein.

14. Defendant objects to Plaintiff's statement that "the gendered form of a noun or pronoun includes all gendered and nongendered forms of the noun or pronoun," as being vague, ambiguous and unintelligible. Defendant will respond as if this statement were absent.

REQUESTS FOR DOCUMENTS

1. All documents disclosed or identified in Your initial disclosures pursuant to Federal Rule Civil Procedure 26(a)(1)(A)(ii).

OBJECTION/RESPONSE: Defendant objects to producing documents that have already been filed or produced in this or other proceedings, on the grounds that those documents are equally available to the parties and it would be unreasonable and unduly burdensome to require Defendant to re-produce them.

Defendant will produce any responsive, non-privileged documents that have not been previously filed or produced in this or other proceedings, if any.

2. All documents that support Your defenses to the claims alleged in the Complaint.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. Defendant further objects on the ground that the request fails to identify with reasonable particularity the materials sought. Defendant also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

3. All documents that contradict Your defenses to or that support the claims alleged in the Complaint.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. Defendant further objects on the ground that the request fails to identify with reasonable particularity the materials sought. Defendant also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

4. All documents and communications concerning Plaintiff Janet Jenkins.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. The request is also not proportional to the needs of this case. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce every document or communication Defendant has had with any person in the entire world about anything having to do with Plaintiff Janet Jenkins over the course of 18 years. Defendant also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

5. All documents and communications concerning Plaintiff Isabella Miller-Jenkins.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. The request is also not proportional to the needs of this case. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce every document or communication Defendant has had with any person in the entire world about anything having to do with Isabella over the course of 18 years. Defendant also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

6. All documents and communications concerning Defendant Lisa Miller.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. The request is also not proportional to the needs of this case. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce every document or communication Defendant has had with any person in the entire world about anything having to do with Defendant Lisa Miller over the course of 18 years. Defendant also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

7. All communications with Plaintiff Isabella Miller-Jenkins.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. The request is also not proportional to the needs of this case. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce every communication Defendant has ever had with Isabella. Defendant also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

8. All communications with Defendant Lisa Miller.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. The request is also not proportional to the needs of this case. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce every communication Defendant has ever had with Lisa Miller. Defendant

also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

Without waiving any objections and subject to them, Defendant states that she has had no communications with Lisa Miller since September 12, 2009, and therefore has no responsive documents in her custody, possession or control after that date. Defendant further states that she has had no communications with Lisa Miller regarding her disappearance in 2009 or her whereabouts since 2009.

9. Documents sufficient to identify and disclose all telephone numbers; email addresses; international calling services, including but not limited to PennyTalk and VIVOphone; electronic means of communication; communications applications accounts, including but not limited to WhatsApp, Viber, and Signal; and social media accounts or applications, including but not limited to Facebook, Twitter, Snapchat, and Instagram, used by Defendant Lisa Miller from 2002 to date.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that she has no responsive documents in her custody, possession or control as to any “international calling services, including but not limited to PennyTalk and VIVOphone,” nor as to any “communications applications accounts, including but not limited to WhatsApp, Viber, and Signal,” nor as to any “Twitter, Snapchat, and Instagram,” accounts used by Defendant Lisa Miller from 2002 to date.

Defendant further states that she has had no communications with Lisa Miller since September 12, 2009, and therefore has no responsive documents in her custody, possession or control after that date.

Defendant will produce responsive, non-privileged documents in her custody, possession or control, if any, sufficient to identify Lisa Miller’s telephone number, email address, or Facebook account from 2002 until September 12, 2009.

10. Documents sufficient to identify and disclose all telephone numbers; email addresses; international calling services, including but not limited to PennyTalk and VIVOphone; electronic means of communication; communications applications accounts, including but not limited to WhatsApp, Viber, and Signal; and social media accounts or applications, including but not limited to Facebook, Twitter, Snapchat, and Instagram, used by or on behalf of Plaintiff Isabella Miller-Jenkins from 2002 to date.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that she has no responsive documents in her custody, possession or control.

11. All communications with zeusdesfor@aol.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that she has no responsive documents in her custody, possession or control as to "Lisa Miller's whereabouts from September 20, 2009, to date," nor as to "Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date," nor as to "the Beachy Amish Mennonites," nor as to "Nicaragua."

As to the "Dispute" between Lisa Miller and Janet Jenkins, Defendant states that she has had no communications with Lisa Miller (including at the zeusdesfor@aol.com email address) since September 12, 2009, and therefore has no responsive documents in her custody, possession or control after that date.

As to communications between Defendant and Lisa Miller between 2002 and September 12, 2009, about Lisa Miller's "Dispute" with Jenkins, Defendant objects to the request as overbroad, unduly burdensome, and not proportional to the needs of the litigation. The communications would have been about Defendant's lawful representation of Miller in the

“Dispute,” and would not have been about the unlawful conduct alleged in this lawsuit. Moreover, because of the lawyer-client relationship between Defendant and Lisa Miller, the communications would likely all be privileged. It would be too burdensome, and serve no purpose, to require Defendant to sift through all of her communications with Lisa Miller between 2002 and 2009 and to catalogue them individually as privileged.

12. All communications with god1ofchild@live.com concerning the Dispute; Defendant Lisa Miller’s whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins’ whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that she has no responsive documents in her custody, possession or control.

13. All communications with the Skype account with the username childofjesus1 concerning the Dispute; Defendant Lisa Miller’s whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins’ whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that she has no responsive documents in her custody, possession or control.

14. All communications with the Facebook account with identification number 1539940246 concerning the Dispute; Defendant Lisa Miller’s whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins’ whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that she does not know what or whose Facebook account this request references, and that, in any event, she has no responsive documents in her custody, possession or control.

15. All documents and communications concerning the names, aliases, or identities used by Defendant Lisa Miller.

OBJECTION/RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control as to any names, aliases, or identities used by Lisa Miller other than “Lisa Miller.” To the extent this request seeks all documents and communications wherein Lisa Miller is referred to as “Lisa Miller,” Defendant objects on the ground that the request is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

16. All documents and communications concerning names, aliases, or identities used by Plaintiff Isabella Miller-Jenkins.

OBJECTION/RESPONSE: Defendant states that she has no responsive documents in its custody, possession or control as to any names, aliases, or identities used by Isabella Miller other than “Isabella Miller” “Isabella Miller-Jenkins” or “Izzy.” To the extent this request seeks all documents and communications wherein Isabella Miller is referred to as “Isabella Miller,” “Isabella Miller-Jenkins” or “Izzy,” Defendant objects on the ground that the request is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

17. All documents and communications concerning the Dispute.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable. It is unreasonable for Plaintiff to purport to require Defendant to produce the voluminous court documents publicly filed in the numerous court cases comprised in the “Dispute,” because those documents are public record and equally available to all parties. It is also unreasonable for Plaintiff to purport to require Defendant to search for and produce every document or communication Defendant has had with any person in the entire world about anything having to do with every aspect of the “Dispute” and the numerous court cases it comprises, over the course of 18 years.

Without waiving any objection and subject to them, Defendant states that she has no responsive documents in her custody, possession or control as to Lisa or Isabella Miller's disappearance in 2009 or their whereabouts since 2009, other than documents reported publicly in the media or filed in any of the civil or criminal cases arising from Lisa Miller's disappearance, which are equally available to all parties from the same sources.

As to documents and communications about the "Dispute" between Lisa Miller and Janet Jenkins that have not been publicly filed or produced, Defendant objects to the request as overbroad, unduly burdensome, and not proportional to the needs of the litigation. The documents and communications would be about Defendant's lawful representation of Miller in the "Dispute," and would not have been about the unlawful conduct alleged in this lawsuit. Moreover, because of the lawyer-client relationship between Defendant and Lisa Miller, the communications would likely all be privileged. It would be too burdensome, and serve no purpose, to require Defendant to sift through all of the documents in her litigation files and to catalogue them individually as privileged.

18. All documents and communications concerning the Court Orders.

OBJECTION/RESPONSE: See objections and response to Request 17, incorporated by reference here, as if fully restated.

19. All communications on November 20, 2009.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce all communications she had on November 20, 2009 with any person about any subject, even if wholly unrelated to anything at issue in this lawsuit.

Without waiving any objections and subject to them, Defendant states that she has no responsive documents in her custody, possession or control from November 20, 2009 as to Lisa or Isabella Miller's disappearance in 2009, or their whereabouts since 2009, or as to any other alleged unlawful act at issue in this lawsuit.

20. All documents and communications concerning the Protect Isabella Coalition.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control.

21. All documents and communications concerning the website www.protectisabella.com.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control.

22. All documents and communications concerning the Only One Mommy Facebook group, identification number 81022155363.

RESPONSE: Defendant will produce responsive non-privileged documents in her custody possession or control, if any.

23. All documents and communications concerning <http://imgodschild.wordpress.com>.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control, other than what may be accessible to her and publicly from the referenced website, which is equally available to all parties from the same source.

24. All documents and communications concerning http://works.bepress.com/rena_lindevaldsen/ concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to this request because it is vague, ambiguous and unintelligible. To the extent Plaintiff is requesting materials available on the referenced website, they are equally available to all parties from the same source, and Defendant objects to having to re-produce those materials.

Without waiving any objections and subject to them, Defendant states that she has no responsive documents in her custody, possession or control as to "Lisa Miller's whereabouts from September 20, 2009, to date," nor as to "Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date," nor as to "the Beachy Amish Mennonites," nor as to "Nicaragua."

25. All documents and communications concerning <http://www.debbiethurman.com/> concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to this request because it is vague, ambiguous and unintelligible. To the extent Plaintiff is requesting materials available on the referenced website, they are equally available to all parties from the same source, and Defendant objects to having to re-produce those materials.

Without waiving any objections and subject to them, Defendant states that she has no responsive documents in her custody, possession or control, other than what may be accessible to her and publicly from the referenced website, which is equally available to all parties from the same source. Defendant further states that she has no responsive documents in her custody, possession or control as to “Lisa Miller’s whereabouts from September 20, 2009, to date,” nor as to “Plaintiff Isabella Miller-Jenkins’ whereabouts from September 20, 2009, to date,” nor as to “the Beachy Amish Mennonites,” nor as to “Nicaragua.”

26. All documents and communications concerning <http://www.theformers.wordpress.com/> concerning the Dispute; Defendant Lisa Miller’s whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins’ whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to this request because it is vague, ambiguous and unintelligible. To the extent Plaintiff is requesting materials available on the referenced website, they are equally available to all parties from the same source, and Defendant objects to having to re-produce those materials.

Without waiving any objections and subject to them, Defendant states that she has no responsive documents in her custody, possession or control, other than what may be accessible to her and publicly from the referenced website, which is equally available to all parties from the same source. Defendant further states that she has no responsive documents in her custody, possession or control as to “Lisa Miller’s whereabouts from September 20, 2009, to date,” nor as to “Plaintiff Isabella Miller-Jenkins’ whereabouts from September 20, 2009, to date,” nor as to “the Beachy Amish Mennonites,” nor as to “Nicaragua.”

27. All documents and communications concerning <https://lezgetreal.com/> concerning the Dispute; Defendant Lisa Miller’s whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins’ whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to this request because it is vague, ambiguous and unintelligible. To the extent Plaintiff is requesting materials available on the referenced website, they are equally available to all parties from the same source, and Defendant objects to having to re-produce those materials.

Without waiving any objections and subject to them, Defendant states that she has no responsive documents in her custody, possession or control, other than what may be accessible to her and publicly from the referenced website, which is equally available to all parties from the same source. Defendant further states that she has no responsive documents in her custody, possession or control as to “Lisa Miller’s whereabouts from September 20, 2009, to date,” nor as to “Plaintiff Isabella Miller-Jenkins’ whereabouts from September 20, 2009, to date,” nor as to “the Beachy Amish Mennonites,” nor as to “Nicaragua.”

28. All documents and communications concerning <https://www.lifesitenews.com/> concerning the Dispute; Defendant Lisa Miller’s whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins’ whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to this request because it is vague, ambiguous and unintelligible. To the extent Plaintiff is requesting materials available on the referenced website, they are equally available to all parties from the same source, and Defendant objects to having to re-produce those materials.

Without waiving any objections and subject to them, Defendant states that she has no responsive documents in her custody, possession or control, other than what may be accessible to her and publicly from the referenced website, which is equally available to all parties from the same source. Defendant further states that she has no responsive documents in her custody, possession or control as to “Lisa Miller’s whereabouts from September 20, 2009, to date,” nor as to “Plaintiff Isabella Miller-Jenkins’ whereabouts from September 20, 2009, to date,” nor as to “the Beachy Amish Mennonites,” nor as to “Nicaragua.”

29. All communications with Matthew Cullinan Hoffman concerning the Dispute; Defendant Lisa Miller’s whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins’ whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control.

30. Documents sufficient to show Defendant Lisa Miller's whereabouts from September 13, 2003, through September 19, 2009.

RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

Without waiving any objections and subject to them, Defendant will produce responsive, non-privileged documents in her custody, possession or control, if any, sufficient to identify addresses where Lisa Miller may have resided prior to Defendant's last communication with Lisa Miller. To the extent this request seeks more, Defendant objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

31. Documents sufficient to show Plaintiff Isabella Miller-Jenkins' whereabouts from April 16, 2002, through September 19, 2009.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

Without waiving any objections and subject to them, Defendant will produce responsive, non-privileged documents in her custody, possession or control, if any, sufficient to identify addresses where Isabella may have resided prior to Defendant's last communication with Lisa Miller. To the extent this request seeks more, Defendant objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

32. All documents, regardless of when created or dated, concerning Defendant Lisa Miller's whereabouts from September 20, 2009 to date.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control, other than documents reported publicly in the media or filed in any of the civil or criminal cases arising from Lisa Miller's disappearance, which are equally available to all parties from the same sources.

33. All documents, regardless of when created or dated, concerning Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control, other than documents reported publicly in the media or filed in any of the civil or criminal cases arising from Lisa Miller's disappearance, which are equally available to all parties from the same sources.

34. All documents and communications concerning Your whereabouts on September 20, 2009, September 21, 2009, and September 22, 2009.

RESPONSE: Defendant will produce responsive, non-privileged documents in her custody, possession or control, if any.

35. All communications on September 20, 2009, September 21, 2009, and September 22, 2009.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce all communications she had on September 20, 2009, September 21, 2009, and September 22, 2009 with any person about any subject, even if wholly unrelated to anything at issue in this lawsuit.

Without waiving any objections and subject to them, Defendant states that she has no responsive documents in her custody, possession or control from September 20, 2009, September 21, 2009, and September 22, 2009 as to Lisa or Isabella Miller's disappearance in 2009, or their whereabouts since 2009, or as to any other alleged unlawful act at issue in this lawsuit.

36. All documents and communications concerning events that happened, or were planned or expected to happen, on September 20, 2009, September 21, 2009, and September 22, 2009.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce all documents and communications about "events" on September 20, 2009, September 21, 2009, and September 22, 2009 that had nothing whatsoever to do with anything at issue in this lawsuit.

Without waiving any objections and subject to them, Defendant states that she has no responsive documents in her custody, possession or control about any plan or expectation involving Lisa or Isabella Miller's disappearance, nor about any related events that happened on September 20, 2009, September 21, 2009, and September 22, 2009, other than what has been reported publicly by the media or what has been filed in various criminal or civil cases.

37. All documents and communications concerning Nicaragua.

OBJECTION/RESPONSE: To the extent this request seeks documents and communications concerning “Nicaragua” that are not related to the disappearance of Lisa Miller or any other aspect of this case, Defendant objects on the ground that the request is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable. Defendant will construe this request as limited to documents and communications concerning “Nicaragua” that are related to the disappearance of Lisa Miller.

Defendant states that she has no responsive documents in her custody, possession or control, other than documents reported publicly in the media or filed in any of the civil or criminal cases arising from Lisa Miller’s disappearance, which are equally available to all parties from the same sources.

38. All documents and communications concerning Beachy Amish Mennonite Church in Nicaragua.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control, other than documents reported publicly in the media or filed in any of the civil or criminal cases arising from Lisa Miller’s disappearance, which are equally available to all parties from the same sources.

39. All communications with the Beachy Amish Mennonite Church in Nicaragua.

RESPONSE: Defendant states that she has had no communications with the Beachy Amish Mennonite Church in Nicaragua and thus has no responsive documents in her custody, possession or control.

40. All documents and communications concerning any Aid directly or indirectly given to Defendant Lisa Miller concerning her compliance or noncompliance with the Court Orders.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant will produce responsive, non-privileged documents in her custody, possession or control, if any, regarding Aid provided to Lisa Miller concerning her compliance with Court Orders.

Defendant states that she has no responsive documents regarding any Aid provided to Lisa Miller concerning her noncompliance with Court Orders.

41. All documents concerning any Aid directly or indirectly given to Defendant Lisa Miller or Plaintiff Isabella Miller-Jenkins concerning their departure from 203B Greentree Drive, Forest, Virginia, in September 2009, travel to Canada, departure from the United States, travel to Nicaragua, living in Nicaragua, or remaining in Nicaragua.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control.

42. All documents and communications concerning Defendant Lisa Miller's effort to remain undetected by the United States authorities, including but not limited to Aid directly or indirectly given to her to allow her to avoid such detection.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control.

43. All documents and communications concerning jesman21@gmail.com.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control.

44. All communications with jesman21@gmail.com.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control.

45. All communications with Jessica Fehr.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control.

46. All documents and communications concerning 203B Greentree Drive, Forest, Virginia, including but not limited to payment of rent and the removal and storage of personal property.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that she has no responsive documents in her custody, possession or control concerning the payment of rent or the removal and storage of personal property at 203B Greentree Drive, Forest, Virginia.

47. All communications on November 8, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce all communications she had on November 8, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009 with any person about any subject, even if wholly unrelated to anything at issue in this lawsuit.

Without waiving any objections and subject to them, Defendant states that she has no responsive documents in her custody, possession or control from November 8, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009 as to Lisa or Isabella Miller's disappearance in 2009, or their whereabouts since 2009, or as to any other alleged unlawful act at issue in this lawsuit.

48. All documents and communications concerning events that happened, or were planned or expected to happen, on November 9, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce all documents and communications about "events" on November 9, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009 that had nothing whatsoever to do with anything at issue in this lawsuit.

Without waiving any objections and subject to them, Defendant states that she has no responsive documents in her custody, possession or control about any plan or expectation involving Lisa or Isabella Miller's disappearance, nor about any related events that happened on November 9, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009, other than what has been reported publicly by the media or what has been filed in various criminal or civil cases.

49. All communications with Anthony Phelps, the landlord of 203B Greentree Drive, Forest, Virginia.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control.

50. Documents sufficient to Identify all telephone numbers, including but not limited to landlines or cellular lines or applications, used by You in 2009 to date.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, ambiguous and unintelligible. Defendant construes the request as seeking information about land and cellular telephone numbers used by her from 2009 to date.

Defendant will produce responsive, non-privileged documents in her custody, possession or control sufficient to identify land and cellular telephone numbers she has used from 2009 to date, if any.

51. Documents sufficient to Identify all email addresses used by You in 2009 to date.

RESPONSE: Defendant will produce responsive, non-privileged documents in her custody, possession or control sufficient to identify email addresses she has used from 2009 to date, if any.

52. Documents sufficient to Identify all international calling services and the accounts or numbers, including but not limited to PennyTalk and VIVOphone, used by You in 2009 to date.

OBJECTION/RESPONSE: Defendant states that she has not used any PennyTalk or VIVOphone calling services, and thus has no responsive documents in her custody, possession or control. To the extent this request seeks information about other “international calling services,” Defendant is unable to tell what the request seeks, and thus objects on the grounds that the request is vague and ambiguous.

53. Documents sufficient to Identify social media and electronic means of communication used by You in 2009 to date.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, ambiguous and unintelligible. Defendant construes the request as seeking information about social media accounts used by her from 2009 to date.

Defendant will produce responsive, non-privileged documents in her custody, possession or control sufficient to identify social media accounts she has used from 2009 to date, if any.

54. All communications with the Facebook account of Lisa Wall, identification number 1436421487, concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that she does not know who Lisa Wall is, and has had no communications with the Facebook account of Lisa Wall. Accordingly, Defendant has no responsive documents in her custody, possession or control.

55. All communications with wall4america@netzero.net concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control.

56. All communications with the Facebook account of Beth Ehrhorn, identification number 1072853392, concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control.

57. All communications with behrhorn@aol.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant will produce responsive, non-privileged documents in her custody, possession or control, if any.

58. All communications with the Facebook account of Sarah Bloedorn, identification number 1371510997, concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control.

59. All communications with qtjars@gmail.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control.

60. All communications with timjomiller@gmail.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control.

61. All communications with kingdomseeker1@gmail.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control.

62. All communications with millersofwaslala@gmail.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control.

63. All communications with phillipz@responseunlimited.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that she has no responsive documents in her custody, possession or control.

64. All documents and communications concerning Your policies or positions concerning same-sex marriage, same-sex civil unions, or same-sex relationships.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, vague, irrelevant and not likely to lead to discovery of admissible evidence, not proportional to the needs of the litigation, unduly burdensome, and impracticable. Defendant also objects to this request on the grounds that it violates the First Amendment.

65. All documents and communications concerning Your policies or positions concerning whether homosexual persons should have custody of or visitation with children.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, vague, irrelevant and not likely to lead to discovery of admissible evidence, not proportional to the needs of the litigation, unduly burdensome, and impracticable. Defendant also objects to this request on the grounds that it violates the First Amendment.

66. All documents and communications concerning Your policies or positions concerning the relative supremacy of secular law (including but not limited to court orders and court opinions) over religion, morality, ethics, or conscience.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, vague, irrelevant and not likely to lead to discovery of admissible evidence, not proportional to the needs of the litigation, unduly burdensome, and impracticable. Defendant also objects to this request on the grounds that it violates the First Amendment.

67. All documents and communications concerning Your policies or positions concerning the relative supremacy of religion, morality, ethics, or conscience over secular law (including but not limited to court orders and court opinions).

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, vague, irrelevant and not likely to lead to discovery of admissible evidence, not proportional to the needs of the litigation, unduly burdensome, and impracticable. Defendant also objects to this request on the grounds that it violates the First Amendment.

68. All documents and communications concerning Your policies or positions concerning compliance or noncompliance with the Court Orders.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, vague, irrelevant and not likely to lead to discovery of admissible evidence, not proportional to the needs of the litigation, unduly burdensome, and impracticable. Defendant also objects to this request on the grounds that it violates the First Amendment.

69. All documents and communications concerning Your policies or positions concerning whether Plaintiff Janet Jenkins should have custody of or visitation with Plaintiff Isabella Miller-Jenkins.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, vague, irrelevant and not likely to lead to discovery of admissible evidence, not proportional to the needs of the litigation, unduly burdensome, and impracticable. Defendant also objects to this request on the grounds that it violates the First Amendment.

/s/ Horatio G. Mihet

Horatio G. Mihet

Daniel J. Schmid

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Attorneys for Defendant Lindevaldsen

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of October, 2018, a true and correct copy of the foregoing objections and responses were served via electronic mail on all counsel of record for Plaintiff and Defendants, including:

Beth D. Jacob, Esq. (beth.jacob@splcenter.org)
David C. Dinielli, Esq. (david.dinielli@splcenter.org)
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Counsel for Defendant Kenneth L. Miller

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Counsel for Defendants Response Unlimited, Inc., Philip Zodiates, and Victoria Hyden

Norman C. Smith, Esq. (nc.smith@myfairpoint.net)

Counsel for Defendant Linda Wall

/s/ Horatio G. Mihet
Horatio G. Mihet

Attorney for Defendants Lindevaldsen

Exhibit 4

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT**

<hr/>)	
JANET JENKINS, ET AL.,))	
))	
Plaintiffs,))	
))	Docket No. 2:12-cv-00184
v.))	
))	
KENNETH L. MILLER, ET AL.,))	
))	
Defendants.))	
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**DEFENDANT LIBERTY COUNSEL, INC.’S RESPONSES AND OBJECTIONS
TO PLAINTIFF’ FIRST SET OF REQUEST FOR PRODUCTION**

Pursuant to Fed. R. Civ. P. 34, Defendant Liberty Counsel, Inc. (“Liberty Counsel” or “Defendant”), by and through counsel, hereby provides the following responses and objections to Plaintiff’s First Set of Requests for Production to Defendant Liberty Counsel.

**GENERAL OBJECTIONS, AND OBJECTIONS
TO THE “DEFINITIONS” AND INSTRUCTIONS**

1. Defendant objects to the requests as premature and violative of Defendant’s constitutional guaranty not to be subject to litigation and binding adjudications in a forum in which it has no constitutionally sufficient contacts. Defendant does not waive any defenses, jurisdictional or otherwise, by providing these responses and objections.

2. Defendant objects to the requests to the extent they seek information protected from disclosure by the First Amendment and other constitutional guarantees, including the freedom of expression, freedom of association, freedom of religion, and freedom from intrusion of privacy.

3. Defendant objects to the requests to the extent they seek information that is protected by the attorney-client and work-product privileges, and virtually all requests seek such information.

4. Defendant objects to the requests to the extent they purport to require Defendant to produce documents that consist of publicly disseminated media reports, or documents that have already been produced or filed in any of the numerous civil or criminal cases related to the dispute between Lisa Miller and Janet Jenkins, or the disappearance of Lisa Miller. These documents are equally available to Plaintiff and Defendant from the same sources, and it would be unreasonable, unduly burdensome and not proportional to the needs of this case to require Defendant to re-produce them to Plaintiff.

5. Defendant's investigation and development of all facts and circumstances relating to this action is ongoing. Defendant will supplement the responses, objections, and document production as new and additional information is discovered, and as required under applicable rules.

6. By providing these responses, objections, and document production, Defendant does not waive, and hereby expressly reserves, the right to assert any and all objections as to their admissibility into evidence in this action, or in any other proceeding, on any and all grounds, including but not limited to relevancy, materiality, and privilege.

7. Defendant provides these responses, objections, and document production without in any way admitting or implying that they are relevant or material to the subject matter of this action. No admission as to the authenticity of any document produced is made or implied.

8. Defendant objects to Plaintiff's "Definitions" and "Instructions" to the extent they seek to impose obligations greater than those imposed by the Federal Rules of Civil Procedure, the

local rules of court, or other applicable authority. Defendant will respond in accordance with applicable rules and law.

9. Defendant objects to Plaintiff's definition of the term "Aid" as vague, ambiguous, overbroad and unduly burdensome. Defendant further objects to the term "Aid" to the extent it purports to include legal services or legal advice, as being violative of the attorney-client and work product privileges. Defendant will respond as if the term does not include legal services or legal advice.

10. Defendant objects to Plaintiff's definition of the term "Court Order" as vague and ambiguous because it purports to include orders "expected to be issued" by courts. Defendant will respond as if the term does not include orders "expected to be issued" and is limited to orders actually issued by courts.

11. Defendant objects to Plaintiff's definition of the terms "Defendant" "You" and "Your" as overbroad and unduly burdensome, because it purports to include Defendant's successors and predecessors in interest, and Defendant's current and former officers, directors, employees, partners, parents, subsidiaries, affiliates, agents, consultants and others. Defendant will respond to these requests as required by applicable law and rules, and will reasonably search only for non-privileged, responsive documents in its custody, possession or control.

12. Defendant objects to Plaintiff's definition of the term "Vermont Proceedings" as vague and ambiguous because it purports to include proceedings other than those enumerated therein. Defendant will respond as if the term is limited to the proceedings enumerated therein.

13. Defendant objects to Plaintiff's definition of the term "Virginia Proceedings" as vague and ambiguous because it purports to include proceedings other than those enumerated therein. Defendant will respond as if the term is limited to the proceedings enumerated therein.

14. Defendant objects to Plaintiff's statement that "the gendered form of a noun or pronoun includes all gendered and nongendered forms of the noun or pronoun," as being vague, ambiguous and unintelligible. Defendant will respond as if this statement were absent.

REQUESTS FOR DOCUMENTS

1. All documents disclosed or identified in Your initial disclosures pursuant to Federal Rule Civil Procedure 26(a)(1)(A)(ii).

OBJECTION/RESPONSE: Defendant objects to producing documents that have already been filed or produced in this or other proceedings, on the grounds that those documents are equally available to the parties and it would be unreasonable and unduly burdensome to require Defendant to re-produce them.

Defendant will produce any responsive, non-privileged documents that have not been previously filed or produced in this or other proceedings, if any.

2. All documents that support Your defenses to the claims alleged in the Complaint.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. Defendant further objects on the ground that the request fails to identify with reasonable particularity the materials sought. Defendant also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

3. All documents that contradict Your defenses to or that support the claims alleged in the Complaint.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. Defendant further objects on the ground that the request fails to identify with reasonable particularity the materials sought. Defendant also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

4. All documents and communications concerning Plaintiff Janet Jenkins.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. The request is also not proportional to the needs of this case. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce every document or communication Defendant has had with any person in the entire world about anything having to do with Plaintiff Janet Jenkins over the course of 18

years. Defendant also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

5. All documents and communications concerning Plaintiff Isabella Miller-Jenkins.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. The request is also not proportional to the needs of this case. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce every document or communication Defendant has had with any person in the entire world about anything having to do with Isabella over the course of 18 years. Defendant also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

6. All documents and communications concerning Defendant Lisa Miller.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. The request is also not proportional to the needs of this case. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce every document or communication Defendant has had with any person in the entire world about anything having to do with Defendant Lisa Miller over the course of 18 years. Defendant also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

7. All communications with Plaintiff Isabella Miller-Jenkins.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. The request is also not proportional to the needs of this case. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce every communication Defendant has ever had with Isabella. Defendant also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

8. All communications with Defendant Lisa Miller.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. The request is also not proportional to the needs of this case. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce every communication Defendant has ever had with Lisa Miller. Defendant also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

Without waiving any objections and subject to them, Defendant states that it has had no communications with Lisa Miller since September 12, 2009, and therefore has no responsive documents in its custody, possession or control after that date. Defendant further states that it has had no communications with Lisa Miller regarding her disappearance in 2009 or her whereabouts since 2009.

9. Documents sufficient to identify and disclose all telephone numbers; email addresses; international calling services, including but not limited to PennyTalk and VIVOphone; electronic means of communication; communications applications accounts, including but not limited to WhatsApp, Viber, and Signal; and social media accounts or applications, including but not limited to Facebook, Twitter, Snapchat, and Instagram, used by Defendant Lisa Miller from 2002 to date.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control as to any “international calling services, including but not limited to PennyTalk and VIVOphone,” nor as to any “communications applications accounts, including but not limited to WhatsApp, Viber, and Signal,” nor as to any “Twitter, Snapchat, and Instagram,” accounts used by Defendant Lisa Miller from 2002 to date.

Defendant further states that it has had no communications with Lisa Miller since September 12, 2009, and therefore has no responsive documents in its custody, possession or control after that date.

Defendant will produce responsive, non-privileged documents in its custody, possession or control, if any, sufficient to identify Lisa Miller’s telephone number, email address, or Facebook account from 2002 until September 12, 2009.

10. Documents sufficient to identify and disclose all telephone numbers; email addresses; international calling services, including but not limited to PennyTalk and VIVOphone; electronic means of communication; communications applications accounts, including but not limited to WhatsApp, Viber, and Signal; and social media accounts or applications, including but not limited to Facebook, Twitter, Snapchat, and Instagram, used by or on behalf of Plaintiff Isabella Miller-Jenkins from 2002 to date.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also

objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control.

11. All communications with zeusdesfor@aol.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control as to "Lisa Miller's whereabouts from September 20, 2009, to date," nor as to "Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date," nor as to "the Beachy Amish Mennonites," nor as to "Nicaragua."

As to the "Dispute" between Lisa Miller and Janet Jenkins, Defendant states that it has had no communications with Lisa Miller (including at the zeusdesfor@aol.com email address) since September 12, 2009, and therefore has no responsive documents in its custody, possession or control after that date.

As to communications between Defendant and Lisa Miller between 2002 and September 12, 2009, about Lisa Miller's "Dispute" with Jenkins, Defendant objects to the request as overbroad, unduly burdensome, and not proportional to the needs of the litigation. The communications would have been about Defendant's lawful representation of Miller in the "Dispute," and would not have been about the unlawful conduct alleged in this lawsuit. Moreover, because of the lawyer-client relationship between Defendant and Lisa Miller, the communications would likely all be privileged. It would be too burdensome, and serve no purpose, to require Defendant to sift through all of its communications with Lisa Miller between 2002 and 2009 and to catalogue them individually as privileged.

12. All communications with god1ofchild@live.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control.

13. All communications with the Skype account with the username childofjesus1 concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control.

14. All communications with the Facebook account with identification number 1539940246 concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that it does not know what or whose Facebook account this request references, and that, in any event, it has no responsive documents in its custody, possession or control.

15. All documents and communications concerning the names, aliases, or identities used by Defendant Lisa Miller.

OBJECTION/RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control as to any names, aliases, or identities used by Lisa Miller other than "Lisa Miller." To the extent this request seeks all documents and communications wherein Lisa Miller is referred to as "Lisa Miller," Defendant objects on

the ground that the request is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

16. All documents and communications concerning names, aliases, or identities used by Plaintiff Isabella Miller-Jenkins.

OBJECTION/RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control as to any names, aliases, or identities used by Isabella Miller other than “Isabella Miller,” “Isabella Miller-Jenkins” or “Izzy.” To the extent this request seeks all documents and communications wherein Isabella Miller is referred to as “Isabella Miller,” “Isabella Miller-Jenkins” or “Izzy,” Defendant objects on the ground that the request is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

17. All documents and communications concerning the Dispute.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable. It is unreasonable for Plaintiff to purport to require Defendant to produce the voluminous court documents publicly filed in the numerous court cases comprised in the “Dispute,” because those documents are public record and equally available to all parties. It is also unreasonable for Plaintiff to purport to require Defendant to search for and produce every document or communication Defendant has had with any person in the entire world about anything having to do with every aspect of the “Dispute” and the numerous court cases it comprises, over the course of 18 years.

Without waiving any objection and subject to them, Defendant states that it has no responsive documents in its custody, possession or control as to Lisa or Isabella Miller’s disappearance in 2009 or their whereabouts since 2009, other than documents reported publicly in the media or filed in any of the civil or criminal cases arising from Lisa Miller’s disappearance, which are equally available to all parties from the same sources.

As to documents and communications about the “Dispute” between Lisa Miller and Janet Jenkins that have not been publicly filed or produced, Defendant objects to the request as overbroad, unduly burdensome, and not proportional to the needs of the litigation. The documents and communications would be about Defendant’s lawful representation of Miller in the “Dispute,” and would not have been about the unlawful conduct alleged in this lawsuit. Moreover, because of the lawyer-client relationship between Defendant and Lisa Miller, the communications would likely all be privileged. It would be too burdensome, and serve no purpose, to require Defendant to sift through all of the documents in its litigation files and to catalogue them individually as privileged.

18. All documents and communications concerning the Court Orders.

OBJECTION/RESPONSE: See objections and response to Request 17, incorporated by reference here, as if fully restated.

19. All communications on November 20, 2009.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce all communications it had on November 20, 2009 with any person about any subject, even if wholly unrelated to anything at issue in this lawsuit.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control from November 20, 2009 as to Lisa or Isabella Miller's disappearance in 2009, or their whereabouts since 2009, or as to any other alleged unlawful act at issue in this lawsuit.

20. All documents and communications concerning the Protect Isabella Coalition.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

21. All documents and communications concerning the website www.protectisabella.com.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

22. All documents and communications concerning the Only One Mommy Facebook group, identification number 81022155363.

RESPONSE: Defendant will produce responsive non-privileged documents in its custody possession or control, if any.

23. All documents and communications concerning <http://imgodschild.wordpress.com>.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control, other than what may be accessible to it and publicly from the referenced website, which is equally available to all parties from the same source.

24. All documents and communications concerning http://works.bepress.com/rena_lindevaldsen/ concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to this request because it is vague, ambiguous and unintelligible. To the extent Plaintiff is requesting materials available on the referenced website, they are equally available to all parties from the same source, and Defendant objects to having to re-produce those materials.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control as to "Lisa Miller's whereabouts from September 20, 2009, to date," nor as to "Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date," nor as to "the Beachy Amish Mennonites," nor as to "Nicaragua."

25. All documents and communications concerning <http://www.debbiethurman.com/> concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to this request because it is vague, ambiguous and unintelligible. To the extent Plaintiff is requesting materials available on the referenced website, they are equally available to all parties from the same source, and Defendant objects to having to re-produce those materials.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control, other than what may be accessible to it and publicly from the referenced website, which is equally available to all parties from the same source. Defendant further states that it has no responsive documents in its custody, possession or control as to "Lisa Miller's whereabouts from September 20, 2009, to date," nor as to "Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date," nor as to "the Beachy Amish Mennonites," nor as to "Nicaragua."

26. All documents and communications concerning <http://www.theformers.wordpress.com/> concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to this request because it is vague, ambiguous and unintelligible. To the extent Plaintiff is requesting materials available on the referenced website, they are equally available to all parties from the same source, and Defendant objects to having to re-produce those materials.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control, other than what may be accessible to it and publicly from the referenced website, which is equally available to all parties from the same source. Defendant further states that it has no responsive documents in its custody, possession or control as to "Lisa Miller's whereabouts from September 20, 2009, to date," nor as to "Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date," nor as to "the Beachy Amish Mennonites," nor as to "Nicaragua."

27. All documents and communications concerning <https://lezgetreal.com/> concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to this request because it is vague, ambiguous and unintelligible. To the extent Plaintiff is requesting materials available on the referenced website, they are equally available to all parties from the same source, and Defendant objects to having to re-produce those materials.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control, other than what may be accessible to it and publicly from the referenced website, which is equally available to all parties from the same source. Defendant further states that it has no responsive documents in its custody, possession or control as to "Lisa Miller's whereabouts from September 20, 2009, to date," nor as to "Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date," nor as to "the Beachy Amish Mennonites," nor as to "Nicaragua."

28. All documents and communications concerning <https://www.lifesitenews.com/> concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to this request because it is vague, ambiguous and unintelligible. To the extent Plaintiff is requesting materials available on the referenced website, they are equally available to all parties from the same source, and Defendant objects to having to re-produce those materials.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control, other than what may be accessible to it and publicly from the referenced website, which is equally available to all parties from the same source. Defendant further states that it has no responsive documents in its custody, possession or control as to "Lisa Miller's whereabouts from September 20, 2009, to date," nor as to "Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date," nor as to "the Beachy Amish Mennonites," nor as to "Nicaragua."

29. All communications with Matthew Cullinan Hoffman concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

30. Documents sufficient to show Defendant Lisa Miller's whereabouts from September 13, 2003, through September 19, 2009.

RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

Without waiving any objections and subject to them, Defendant will produce responsive, non-privileged documents in its custody, possession or control, if any, sufficient to identify addresses where Lisa Miller may have resided prior to Defendant's last communication with Lisa Miller. To the extent this request seeks more, Defendant objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

31. Documents sufficient to show Plaintiff Isabella Miller-Jenkins' whereabouts from April 16, 2002, through September 19, 2009.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

Without waiving any objections and subject to them, Defendant will produce responsive, non-privileged documents in its custody, possession or control, if any, sufficient to identify addresses where Isabella may have resided prior to Defendant's last communication with Lisa Miller. To the extent this request seeks more, Defendant objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

32. All documents, regardless of when created or dated, concerning Defendant Lisa Miller's whereabouts from September 20, 2009 to date.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control, other than documents reported publicly in the media or filed in any of the civil or criminal cases arising from Lisa Miller's disappearance, which are equally available to all parties from the same sources.

33. All documents, regardless of when created or dated, concerning Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control, other than documents reported publicly in the media or filed in any of the civil or criminal cases arising from Lisa Miller's disappearance, which are equally available to all parties from the same sources.

34. All documents and communications concerning Your whereabouts on September 20, 2009, September 21, 2009, and September 22, 2009.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, ambiguous and unintelligible. Defendant is a Florida corporation. Defendant does not know what the terms "whereabouts" refers to in the context of a corporate entity. To the extent the request seeks documents about the whereabouts of each of Defendant's successors and predecessors in interest, and each of Defendant's current and former officers, directors, employees, partners, parents, subsidiaries, affiliates, agents, consultants, and others, Defendant objects on the grounds that the request is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

35. All communications on September 20, 2009, September 21, 2009, and September 22, 2009.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce all communications it had on September 20, 2009, September 21, 2009, and September 22, 2009 with any person about any subject, even if wholly unrelated to anything at issue in this lawsuit.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control from September 20, 2009, September 21, 2009, and September 22, 2009 as to Lisa or Isabella Miller's disappearance in 2009, or their whereabouts since 2009, or as to any other alleged unlawful act at issue in this lawsuit.

36. All documents and communications concerning events that happened, or were planned or expected to happen, on September 20, 2009, September 21, 2009, and September 22, 2009.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce all documents and communications about "events" on September 20, 2009, September 21, 2009, and September 22, 2009 that had nothing whatsoever to do with anything at issue in this lawsuit.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control about any plan or expectation involving Lisa or Isabella Miller's disappearance, nor about any related events that happened on September 20, 2009, September 21, 2009, and September 22, 2009, other than what has been reported publicly by the media or what has been filed in various criminal or civil cases.

37. All documents and communications concerning Nicaragua.

OBJECTION/RESPONSE: To the extent this request seeks documents and communications concerning "Nicaragua" that are not related to the disappearance of Lisa Miller or any other aspect of this case, Defendant objects on the ground that the request is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and

impracticable. Defendant will construe this request as limited to documents and communications concerning “Nicaragua” that are related to the disappearance of Lisa Miller.

Defendant states that it has no responsive documents in its custody, possession or control, other than documents reported publicly in the media or filed in any of the civil or criminal cases arising from Lisa Miller’s disappearance, which are equally available to all parties from the same sources.

38. All documents and communications concerning Beachy Amish Mennonite Church in Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control, other than documents reported publicly in the media or filed in any of the civil or criminal cases arising from Lisa Miller’s disappearance, which are equally available to all parties from the same sources.

39. All communications with the Beachy Amish Mennonite Church in Nicaragua.

RESPONSE: Defendant states that it has had no communications with the Beachy Amish Mennonite Church in Nicaragua and thus has no responsive documents in its custody, possession or control.

40. All documents and communications concerning any Aid directly or indirectly given to Defendant Lisa Miller concerning her compliance or noncompliance with the Court Orders.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant will produce responsive, non-privileged documents in its custody, possession or control, if any, regarding Aid provided to Lisa Miller concerning her compliance with Court Orders.

Defendant states that it has no responsive documents regarding any Aid provided to Lisa Miller concerning her noncompliance with Court Orders.

41. All documents concerning any Aid directly or indirectly given to Defendant Lisa Miller or Plaintiff Isabella Miller-Jenkins concerning their departure from 203B Greentree Drive, Forest, Virginia, in September 2009, travel to Canada, departure from the United States, travel to Nicaragua, living in Nicaragua, or remaining in Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

42. All documents and communications concerning Defendant Lisa Miller's effort to remain undetected by the United States authorities, including but not limited to Aid directly or indirectly given to her to allow her to avoid such detection.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

43. All documents and communications concerning jesman21@gmail.com.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

44. All communications with jesman21@gmail.com.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

45. All communications with Jessica Fehr.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

46. All documents and communications concerning 203B Greentree Drive, Forest, Virginia, including but not limited to payment of rent and the removal and storage of personal property.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control concerning the payment of rent or the removal and storage of personal property at 203B Greentree Drive, Forest, Virginia.

47. All communications on November 8, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce all communications it had on November 8, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009 with any person about any subject, even if wholly unrelated to anything at issue in this lawsuit.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control from November 8, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009 as to Lisa or Isabella Miller's disappearance in 2009, or their whereabouts since 2009, or as to any other alleged unlawful act at issue in this lawsuit.

48. All documents and communications concerning events that happened, or were planned or expected to happen, on November 9, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce all documents and communications about "events" on November 9, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009 that had nothing whatsoever to do with anything at issue in this lawsuit.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control about any plan or expectation involving Lisa or Isabella Miller's disappearance, nor about any related events that happened on November 9, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009, other than what has been reported publicly by the media or what has been filed in various criminal or civil cases.

49. All communications with Anthony Phelps, the landlord of 203B Greentree Drive, Forest, Virginia.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

50. Documents sufficient to Identify all telephone numbers, including but not limited to landlines or cellular lines or applications, used by You in 2009 to date.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, unduly burdensome, vague, ambiguous, not intelligible, not proportional to the needs of the litigation, and impracticable.

51. Documents sufficient to Identify all email addresses used by You in 2009 to date.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

52. Documents sufficient to Identify all international calling services and the accounts or numbers, including but not limited to PennyTalk and VIVOfone, used by You in 2009 to date.

OBJECTION/RESPONSE: Defendant states that it has not used any PennyTalk or VIVOfone calling services, and thus has no responsive documents in its custody, possession or control. To the extent this request seeks information about other “international calling services,” Defendant is unable to tell what the request seeks, and thus objects on the grounds that the request is vague and ambiguous.

53. Documents sufficient to Identify social media and electronic means of communication used by You in 2009 to date.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, ambiguous and unintelligible. Defendant construes the request as seeking information about social media accounts used by Defendant Liberty Counsel as a corporate entity from 2009 to date.

Defendant will produce responsive, non-privileged documents in its custody, possession or control sufficient to identify social media accounts it has used from 2009 to date.

54. All communications with the Facebook account of Lisa Wall, identification number 1436421487, concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that it does not know who Lisa Wall is, and has had no communications with the Facebook account of Lisa Wall. Accordingly, Defendant has no responsive documents in its custody, possession or control.

55. All communications with wall4america@netzero.net concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

56. All communications with the Facebook account of Beth Ehrhorn, identification number 1072853392, concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

57. All communications with behrhorn@aol.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant will produce responsive, non-privileged documents in its custody, possession or control, if any.

58. All communications with the Facebook account of Sarah Bloedorn, identification number 1371510997, concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

59. All communications with qtjars@gmail.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

60. All communications with timjomiller@gmail.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

61. All communications with kingdomseeker1@gmail.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

62. All communications with millersofwaslala@gmail.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

63. All communications with phillipz@responseunlimited.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

64. All documents and communications concerning Your policies or positions concerning same-sex marriage, same-sex civil unions, or same-sex relationships.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, vague, irrelevant and not likely to lead to discovery of admissible evidence, not proportional to the needs of the litigation, unduly burdensome, and impracticable. Defendant also objects to this request on the grounds that it violates the First Amendment.

65. All documents and communications concerning Your policies or positions concerning whether homosexual persons should have custody of or visitation with children.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, vague, irrelevant and not likely to lead to discovery of admissible evidence, not proportional to the needs of the litigation, unduly burdensome, and impracticable. Defendant also objects to this request on the grounds that it violates the First Amendment.

66. All documents and communications concerning Your policies or positions concerning the relative supremacy of secular law (including but not limited to court orders and court opinions) over religion, morality, ethics, or conscience.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, vague, irrelevant and not likely to lead to discovery of admissible evidence, not proportional to the needs of the litigation, unduly burdensome, and impracticable. Defendant also objects to this request on the grounds that it violates the First Amendment.

67. All documents and communications concerning Your policies or positions concerning the relative supremacy of religion, morality, ethics, or conscience over secular law (including but not limited to court orders and court opinions).

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, vague, irrelevant and not likely to lead to discovery of admissible evidence, not proportional to the needs of the litigation, unduly burdensome, and impracticable. Defendant also objects to this request on the grounds that it violates the First Amendment.

68. All documents and communications concerning Your policies or positions concerning compliance or noncompliance with the Court Orders.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, vague, irrelevant and not likely to lead to discovery of admissible evidence, not proportional to the needs of the litigation, unduly burdensome, and impracticable. Defendant also objects to this request on the grounds that it violates the First Amendment.

69. All documents and communications concerning Your policies or positions concerning whether Plaintiff Janet Jenkins should have custody of or visitation with Plaintiff Isabella Miller-Jenkins.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, vague, irrelevant and not likely to lead to discovery of admissible evidence, not proportional to the needs of the litigation, unduly burdensome, and impracticable. Defendant also objects to this request on the grounds that it violates the First Amendment.

/s/ Horatio G. Mihet
Horatio G. Mihet
Daniel J. Schmid
Roger K. Gannam
LIBERTY COUNSEL
P.O. Box 540774
Orlando, FL 32854
Phone: (407) 875-1776
Fax: (407) 875-0770
Email: hmihet@lc.org

Attorneys for Defendant Liberty Counsel

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of October, 2018, a true and correct copy of the foregoing objections and responses were served via electronic mail on all counsel of record for Plaintiff and Defendants, including:

Beth D. Jacob, Esq. (beth.jacob@splcenter.org)
David C. Dinielli, Esq. (david.dinielli@splcenter.org)
Diego A. Soto, Esq. (diego.soto@splcenter.org)
J. Tyler Clemons, Esq. (Tyler.Clemons@splcenter.org)
Frank H. Langrock, Esq. (flangrock@langrock.com)
Sarah Star, Esq. (srs@sarahstarlaw.com)

Counsel for Plaintiff Janet Jenkins

Brooks G. McArthur, Esq. (bmcArthur@jarvismcarthur.com)

Counsel for Defendant Kenneth L. Miller

Michael J. Tierney, Esq. (mtierney@wadleighlaw.com)

Counsel for Defendant Timothy D. Miller

Matthew B. Byrne, Esq. (mbyrne@gravelshea.com)
Norman C. Williams, Esq. (nwilliams@gravelshea.com)
Robert B. Hemley, Esq. (rhemley@gravelshea.com)

Counsel for Defendants Response Unlimited, Inc., Philip Zodiates, and Victoria Hyden

Norman C. Smith, Esq. (nc.smith@myfairpoint.net)

Counsel for Defendant Linda Wall

/s/ Horatio G. Mihet
Horatio G. Mihet

Attorney for Defendant Liberty Counsel

Exhibit 5



Fighting Hate
Teaching Tolerance
Seeking Justice

Southern Poverty Law Center
201 St. Charles Avenue Suite 2000
New Orleans, Louisiana 70170
(504)526-1530
www.splcenter.org

April 17, 2019

Horatio Mihet
Vice President of Legal Affairs/Chief Litigation Counsel
Liberty Counsel
P.O. Box 540774
Orlando, Florida 32854
hmihet@lc.org

VIA EMAIL

Dear Mr. Mihet:

This letter memorializes the agreements and conclusions we reached at the meet and confer regarding Plaintiffs' First Requests for Production to Liberty Counsel and Rena Lindevaldsen. Those requests were served on June 27, 2018. Both Liberty Counsel and Ms. Lindevaldsen provided responses and objections on October 15, 2018. Ms. Lindevaldsen produced responsive documents on January 15, 2019. Plaintiffs have not yet received a production from Liberty Counsel. We met and conferred by phone on February 11, 2019, and again on April 12, 2019.

You agreed that Liberty Counsel would produce responsive documents, and Ms. Lindevaldsen would produce any additional responsive documents, together with privilege logs for any documents withheld on the basis of privilege, no later than May 10, 2019. Please also provide any follow-up to any specific requests or outstanding questions, as discussed below, by that date.

Because we have not received a production from Liberty Counsel, our conversations occurred only in the context of Ms. Lindevaldsen's objections and responses. Please note that our positions regarding Liberty Counsel's responses to parallel requests are the same where Liberty Counsel's responses are identical to those of Ms. Lindevaldsen.

We agreed that for any overbreadth, undue burden, or disproportionality objection that is based on the number of results returned by a specific search, you will provide us with the search terms so that we may use them as a starting point to narrow the request.

As to specific requests:

- **Requests 2 & 3:** These requests seek all documents that support or contradict your defenses to the claims alleged in the Complaint.

You expressed concern that these requests are inappropriate because they would require you to reveal privileged information regarding your legal theories. I clarified that these

are standard requests intended to prevent us from being sandbagged or surprised at trial. You need not itemize them by claim or defense and we are not asking for your work product. We did not reach a resolution.

- **Requests 4–8:** These requests seek all documents and communications concerning Janet Jenkins, Isabella Miller-Jenkins, and Lisa Miller, as well as all communications with Isabella Miller-Jenkins and Lisa Miller.

I asked whether your position was that all communications between Ms. Lindevaldsen and Lisa Miller were privileged. You explained that your position is that only communications for the purposing of seeking or receiving legal advice are privileged.

You reiterated your objection that these requests are overbroad and unduly burdensome and asked if we could narrow these by subject matter. I asked how many documents your current searches were returning, and you told me that you had not yet done any searches based on these requests because you knew that the results would be massive. I stated that it is not reasonable to ask us to limit these requests by subject matter because we might inadvertently exclude relevant information about which we are currently unaware, which would defeat the purpose of discovery. Instead, I asked you to perform searches based on these requests and suggested that we attempt to narrow them by tweaking search terms and excluding specific categories of non-electronic documents based on your findings. You stated that you were not willing to perform any searches until the requests were narrowed. We did not reach a resolution.

- **Request 11:** This request seeks communications with Lisa Miller’s email address, zeusdesfor@aol.com, concerning specified subjects.

You reiterated your objection that the portion of this request that asks for all communications “concerning the Dispute” is overbroad and unduly burdensome, particularly because many of those communications would be privileged. I clarified that we would accept a block privilege log for this request that indicated beginning and end dates, broad subject matter, and method(s) of communication (e.g., “Emails between Lisa Miller and Rena Lindevaldsen concerning the Vermont litigation from August 13–17, 2006”). I said that limitation of this request to post-September 12, 2009 communications about the Dispute is not acceptable to us, and further stated that it is not reasonable to ask us to limit these requests by subject matter because we might inadvertently exclude relevant information about which we are currently unaware, which would defeat the purpose of discovery. We did not reach a resolution.

- **Request 17 & 18:** These requests seek all documents and communications concerning the Dispute and the Court Orders.

You reiterated your objection that these requests are overbroad and unduly burdensome. As with Request 11, I said that your limitation of these requests to what you feel is relevant is not acceptable to us because we differ on what is relevant. I further stated that it is not reasonable to ask us to limit these requests by subject matter because we might

inadvertently exclude relevant information about which we are currently unaware, which would defeat the purpose of discovery. We did not reach a resolution.

- **Request 19:** This request seeks all communications on November 20, 2009.

You reiterated your objection that this request is overbroad, unduly burdensome, and seeks privileged information. I clarified that any privileged communications could be dealt with via a privilege log. I stated that even seemingly trivial communications on November 20, 2009, are relevant to establishing Ms. Lindevaldsen's whereabouts and activities on that date. In response to your hypotheticals about highly personal information, I stated my belief that the practical way forward is to gather these communications and then meet and confer regarding any that Ms. Lindevaldsen or Liberty Counsel would prefer to withhold. I further stated that it is not reasonable to ask us to limit these requests by subject matter because we might inadvertently exclude relevant information about which we are currently unaware, which would defeat the purpose of discovery. We did not reach a resolution.

- **Request 24:** This request seeks all documents and communications concerning Ms. Lindevaldsen's blog, http://works.bepress.com/rena_lindevaldsen/, concerning specified subjects.

You stated that the essence of your response is that there are no responsive documents that are not publicly available on Ms. Lindevaldsen's blog. I asked whether your response also indicated that you searched for documents involved in the drafting of blog posts, including drafts, communications with others regarding the posts, etc. This request also solicits any documents that were previously publicly available but no longer are. You agreed to double check with your client to answer this question and produce any additional responsive documents.

- **Request 35:** This request seeks all communications from September 20–22, 2009.

Our conversation about this request mirrored our conversation about Request 19. We did not reach a resolution.

- **Request 36:** This request seeks all documents and communications concerning events on September 20–22, 2009.

I stated that we are willing to narrow this request to events with which Ms. Lindevaldsen or any co-conspirator was involved or attended. You stated that you would check with your client about whether this narrowing is acceptable.

- **Request 39:** This request seeks all communications with the Beachy Amish Mennonite Church in Nicaragua.

I clarified that this request asks for communications with the Beachy Amish Mennonites that are in Ms. Lindevaldsen's custody, possession, or control from anyone, not just from

Ms. Lindevaldsen herself. You agreed to confirm this with her.

- **Request 40:** This request seeks all documents and communications concerning any Aid directly or indirectly given to Lisa Miller concerning her compliance or noncompliance with the Court Orders.

I clarified that we would like a privilege log for any documents or communications withheld on the basis of privilege. You agreed to provide such a log.

- **Request 46:** This request seeks all documents and communications concerning 203B Greentree Drive, Forest, Virginia.

I clarified that documents and communications “concerning” 203B Greentree Drive is not intended to include documents and communications that were merely sent to that address. You said that your objection was intended to exclude such documents and communications and agreed to confirm that there are no additional responsive documents “concerning” 203B Greentree Drive.

- **Request 47:** This request seeks all communications on November 8–13, 2009.

Our conversation about this request mirrored our conversation about Request 19. We did not reach a resolution.

- **Request 48:** This request seeks all documents and communications concerning events on November 8–13, 2009.

Our conversation about this request mirrored our conversation about Request 36. I stated that we are willing to narrow this request to events with which Ms. Lindevaldsen or any co-conspirator was involved or attended. You stated that you would check with your client about whether this narrowing is acceptable.

- **Request 54:** This request mistakenly asked for all communications with the Facebook account of “Lisa Wall.”

I clarified that this request refers to Defendant Linda Wall instead of “Lisa Wall.” You stated that you would look for responsive documents based on this clarification.

- **Requests 64–69:** These requests seek all documents and communications concerning policies or positions about same-sex marriage, civil unions, or relationships; whether homosexual persons should have custody of or visitation with children; the relative supremacy of secular law over religion, morality, ethics, or conscience, or vice versa; compliance with the Court Orders; and whether Janet Jenkins should have custody of or visitation with Isabella Miller-Jenkins.

I stated that these requests seek information relevant to the animus element of Plaintiffs’ 1985(3) claim and also make it more or less likely that Defendants participated in the

conspiracy. I asked you to clarify your First Amendment objection to these requests. You explained that based on the Supreme Court's statement in *Obergefell v. Hodges* that there are good people on both sides of the same-sex marriage debate, mere opposition to same-sex marriage is not nefarious. You further stated your belief that requiring a litigant to explain her views about these subjects might have a chilling effect on her expression.

I stated that while the parties obviously disagree about what constitutes animus, the Court has already ruled that opposition to same-sex marriage is a component of animus against gays and lesbians. Specifically, the Court stated in its September 29, 2017, order that “‘the legal question of same-sex marriage’ therefore arose against this backdrop of historical discrimination against gays and lesbians on the basis of their sexual orientation” and that “denying that right to personal choice [in marriage] on the basis of sexual orientation ‘has the effect of teaching that gays and lesbians are unequal in important respects. It demeans gays and lesbians for the State to lock them out of a central institution of the Nation's society.’” 2017 WL 4402431, at *16 (quoting *Obergefell v. Hodges*, 135 S. Ct. 2584, 2598, 2602 (2015)). Regardless, I explained that simply providing responsive documents is not an admission that they constitute animus, and that the parties would be able to continue to debate their significance as we move forward.

I asked for any legal authority or case law that there is a First Amendment defense against producing the kinds of documents sought by these requests in discovery. You agreed to provide some.

I look forward to continuing to work with you.

Best,

A handwritten signature in black ink that reads "Tyler Clemons". The signature is written in a cursive, flowing style.

J. Tyler Clemons
Staff Attorney, LGBT Rights/Special Litigation
tyler.clemons@splcenter.org

Exhibit 6

Tyler Clemons

From: Horatio Mihet <hmihet@lc.org>
Sent: Monday, June 10, 2019 8:15 PM
To: Beth Jacob; David Dinielli; Diego Soto; Tyler Clemons; flangrock; srs
Cc: Roger Gannam; Daniel Schmid; anthony@ndp-law.com; Brooks G. McArthur; mtierney@wadleighlaw.com; Robert B. Hemley; Norman C Smith
Subject: Jenkins v. Miller -- LC Amended/Supplemental Objections and Responses to Jenkins First RTP and LC Document Production
Attachments: Discovery - First Amended and Supplemental LC Responses and Objections to First RTP.pdf

Tyler:

Please find attached Defendant Liberty Counsel's First Amended and Supplemental Responses and Objections to Plaintiff's First Set of Requests for Production.

LC's Document Production can be accessed at this link: <https://drive.google.com/open?id=1onOb8F-LKPcFCAPUY3SMKAAQoR1Qy68t>

We can discuss this further in the coming days, but we remain firm in our belief that many of Plaintiff's discovery requests are overbroad, irrelevant, disproportionate to the needs of the case and generally oppressive. We have previously invited Plaintiff to narrow her similar requests to Defendant Lindevaldsen, and we extend that same invitation again as to the requests to Liberty Counsel. We remain willing to consider narrower requests and to adjust our objections, responses and document production if and when such narrower requests are agreed upon and received.

We also continue to believe that it is impracticable if not impossible to provide a privilege log on the current requests, because their overbreadth would require us to catalogue every document in numerous litigated cases spanning many years. If and when we agree on the scope of narrower requests, we will provide a privilege log once it becomes feasible, practicable and reasonable to do so. We continue to have the same concern and objection as to Defendant Lindevaldsen. We note that in your April 17, 2019 letter you indicate, incorrectly, that we have agreed to provide a privilege log as to Lindevaldsen (or Liberty Counsel). That is not correct. We considered, after our meet and confer, whether it would be possible or practicable for us to provide a privilege log as to either Defendant in response to the current requests, as broadly written, and have concluded that it is not. We can discuss this further in future meet and confer efforts.

Kind Regards,

Horatio G. Mihet, Esq.*
*Vice President of Legal Affairs and
Chief Litigation Counsel*

Liberty Counsel

PO Box 540774
Orlando, FL 32854
(407) 875-1776 phone
(407) 875-0770 fax

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Offices in DC, FL, and VA

*Licensed in Florida and Ohio

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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT**

<hr/>)	
JANET JENKINS, ET AL.,))	
))	
Plaintiffs,))	
))	Docket No. 2:12-cv-00184
v.))	
))	
KENNETH L. MILLER, ET AL.,))	
))	
Defendants.))	
<hr/>)	

**DEFENDANT LIBERTY COUNSEL, INC.’S FIRST AMENDED AND
SUPPLEMENTAL RESPONSES AND OBJECTIONS
TO PLAINTIFF’ FIRST SET OF REQUESTS FOR PRODUCTION**

Pursuant to Fed. R. Civ. P. 34, Defendant Liberty Counsel, Inc. (“Liberty Counsel” or “Defendant”), by and through counsel, hereby provides the following First Amended and Supplemental responses and objections to Plaintiff’s First Set of Requests for Production to Defendant Liberty Counsel.

**GENERAL OBJECTIONS, AND OBJECTIONS
TO THE “DEFINITIONS” AND INSTRUCTIONS**

1. Defendant objects to the requests as premature and violative of Defendant’s constitutional guaranty not to be subject to litigation and binding adjudications in a forum in which it has no constitutionally sufficient contacts. Defendant does not waive any defenses, jurisdictional or otherwise, by providing these responses and objections.

2. Defendant objects to the requests to the extent they seek information protected from disclosure by the First Amendment and other constitutional guarantees, including the freedom of expression, freedom of association, freedom of religion, and freedom from intrusion of privacy.

3. Defendant objects to the requests to the extent they seek information that is protected by the attorney-client and work-product privileges, and virtually all requests seek such information.

4. Defendant objects to the requests to the extent they purport to require Defendant to produce documents that consist of publicly disseminated media reports, or documents that have already been produced or filed in any of the numerous civil or criminal cases related to the dispute between Lisa Miller and Janet Jenkins, or the disappearance of Lisa Miller. These documents are equally available to Plaintiff and Defendant from the same sources, and it would be unreasonable, unduly burdensome and not proportional to the needs of this case to require Defendant to re-produce them to Plaintiff.

FIRST AMENDED OR SUPPLEMENTAL GENERAL OBJECTION 4:

Without limiting the breadth of scope of this General Objection 4, Defendant Liberty Counsel specifically objects to the extent any request purports to require Defendant to produce documents that have already been produced or filed by any party in this action or in the action brought by Plaintiff against Liberty Counsel and other defendants in federal court in Virginia, styled *Jenkins v. Miller et al.*, 6:18-cv-00078-NKM-RSB. In particular and without limitation, Defendant Liberty Counsel specifically objects to the extent any request purports to require Defendant to produce again documents that have been produced in this action by Defendant Rena Lindevaldsen. To the extent any of the documents produced by Defendant Lindevaldsen are or can be deemed to also be within the custody, possession or control of Liberty Counsel, by virtue of Lindevaldsen's relationship with Liberty Counsel or otherwise, Liberty Counsel adopts and incorporates Lindevaldsen's document production as its own, and will not produce the same documents.

5. Defendant's investigation and development of all facts and circumstances relating to this action is ongoing. Defendant will supplement the responses, objections, and document production as new and additional information is discovered, and as required under applicable rules.

6. By providing these responses, objections, and document production, Defendant does not waive, and hereby expressly reserves, the right to assert any and all objections as to their admissibility into evidence in this action, or in any other proceeding, on any and all grounds, including but not limited to relevancy, materiality, and privilege.

7. Defendant provides these responses, objections, and document production without in any way admitting or implying that they are relevant or material to the subject matter of this action. No admission as to the authenticity of any document produced is made or implied.

8. Defendant objects to Plaintiff's "Definitions" and "Instructions" to the extent they seek to impose obligations greater than those imposed by the Federal Rules of Civil Procedure, the local rules of court, or other applicable authority. Defendant will respond in accordance with applicable rules and law.

9. Defendant objects to Plaintiff's definition of the term "Aid" as vague, ambiguous, overbroad and unduly burdensome. Defendant further objects to the term "Aid" to the extent it purports to include legal services or legal advice, as being violative of the attorney-client and work product privileges. Defendant will respond as if the term does not include legal services or legal advice.

10. Defendant objects to Plaintiff's definition of the term "Court Order" as vague and ambiguous because it purports to include orders "expected to be issued" by courts. Defendant will respond as if the term does not include orders "expected to be issued" and is limited to orders actually issued by courts.

11. Defendant objects to Plaintiff's definition of the terms "Defendant" "You" and "Your" as overbroad and unduly burdensome, because it purports to include Defendant's successors and predecessors in interest, and Defendant's current and former officers, directors, employees, partners, parents, subsidiaries, affiliates, agents, consultants and others. Defendant will respond to these requests as required by applicable law and rules, and will reasonably search only for non-privileged, responsive documents in its custody, possession or control.

12. Defendant objects to Plaintiff's definition of the term "Vermont Proceedings" as vague and ambiguous because it purports to include proceedings other than those enumerated therein. Defendant will respond as if the term is limited to the proceedings enumerated therein.

13. Defendant objects to Plaintiff's definition of the term "Virginia Proceedings" as vague and ambiguous because it purports to include proceedings other than those enumerated therein. Defendant will respond as if the term is limited to the proceedings enumerated therein.

14. Defendant objects to Plaintiff's statement that "the gendered form of a noun or pronoun includes all gendered and nongendered forms of the noun or pronoun," as being vague, ambiguous and unintelligible. Defendant will respond as if this statement were absent.

FIRST AMENDED OR SUPPLEMENTAL GENERAL OBJECTION 15:

15. Defendant objects to any purported requirement of Plaintiff that Defendant provide a privilege log in response to any request objected to on the grounds of overbreadth, undue burden, vagueness or lack of proportionality. Requiring Defendant to search through 18 years or more of potential documents and communications between potentially dozens of individuals and to catalogue each privileged communication is itself unduly burdensome, oppressive, harassing and not proportional to the needs of this case, particularly since the relationship between Defendant Liberty Counsel and Defendant Lisa Miller was that of attorney-client, and thus all or the

overwhelming majority of communications and documents are privileged. Defendant has invited Plaintiff to narrow her requests and stands ready to revisit this objection, and the propriety or privilege logs, if and when Plaintiff narrows her requests.

REQUESTS FOR DOCUMENTS

1. All documents disclosed or identified in Your initial disclosures pursuant to Federal Rule Civil Procedure 26(a)(1)(A)(ii).

OBJECTION/RESPONSE: Defendant objects to producing documents that have already been filed or produced in this or other proceedings, on the grounds that those documents are equally available to the parties and it would be unreasonable and unduly burdensome to require Defendant to re-produce them.

Defendant will produce any responsive, non-privileged documents that have not been previously filed or produced in this or other proceedings, if any.

2. All documents that support Your defenses to the claims alleged in the Complaint.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. Defendant further objects on the ground that the request fails to identify with reasonable particularity the materials sought. Defendant also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

3. All documents that contradict Your defenses to or that support the claims alleged in the Complaint.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. Defendant further objects on the ground that the request fails to identify with reasonable particularity the materials sought. Defendant also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

4. All documents and communications concerning Plaintiff Janet Jenkins.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. The request is also not proportional to the needs of this case. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce every document or communication Defendant has had with any person in the entire world about anything having to do with Plaintiff Janet Jenkins over the course of 18

years. Defendant also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

5. All documents and communications concerning Plaintiff Isabella Miller-Jenkins.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. The request is also not proportional to the needs of this case. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce every document or communication Defendant has had with any person in the entire world about anything having to do with Isabella over the course of 18 years. Defendant also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

6. All documents and communications concerning Defendant Lisa Miller.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. The request is also not proportional to the needs of this case. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce every document or communication Defendant has had with any person in the entire world about anything having to do with Defendant Lisa Miller over the course of 18 years. Defendant also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

7. All communications with Plaintiff Isabella Miller-Jenkins.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. The request is also not proportional to the needs of this case. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce every communication Defendant has ever had with Isabella. Defendant also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

8. All communications with Defendant Lisa Miller.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, overbroad, and unduly burdensome. The request is also not proportional to the needs of this case. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce every communication Defendant has ever had with Lisa Miller. Defendant also objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

Without waiving any objections and subject to them, Defendant states that it has had no communications with Lisa Miller since September 12, 2009, and therefore has no responsive documents in its custody, possession or control after that date. Defendant further states that it has had no communications with Lisa Miller regarding her disappearance in 2009 or her whereabouts since 2009.

9. Documents sufficient to identify and disclose all telephone numbers; email addresses; international calling services, including but not limited to PennyTalk and VIVOphone; electronic means of communication; communications applications accounts, including but not limited to WhatsApp, Viber, and Signal; and social media accounts or applications, including but not limited to Facebook, Twitter, Snapchat, and Instagram, used by Defendant Lisa Miller from 2002 to date.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control as to any “international calling services, including but not limited to PennyTalk and VIVOphone,” nor as to any “communications applications accounts, including but not limited to WhatsApp, Viber, and Signal,” nor as to any “Twitter, Snapchat, and Instagram,” accounts used by Defendant Lisa Miller from 2002 to date.

Defendant further states that it has had no communications with Lisa Miller since September 12, 2009, and therefore has no responsive documents in its custody, possession or control after that date.

Defendant will produce responsive, non-privileged documents in its custody, possession or control, if any, sufficient to identify Lisa Miller’s telephone number, email address, or Facebook account from 2002 until September 12, 2009.

FIRST AMENDED OR SUPPLEMENTAL RESPONSE:

Without waiving any objections and subject to them, see LC 0001-0002.

10. Documents sufficient to identify and disclose all telephone numbers; email addresses; international calling services, including but not limited to PennyTalk and VIVOphone; electronic means of communication; communications applications accounts, including but not limited to WhatsApp, Viber, and Signal; and social media accounts or applications, including but

not limited to Facebook, Twitter, Snapchat, and Instagram, used by or on behalf of Plaintiff Isabella Miller-Jenkins from 2002 to date.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control.

11. All communications with zeusdesfor@aol.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control as to "Lisa Miller's whereabouts from September 20, 2009, to date," nor as to "Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date," nor as to "the Beachy Amish Mennonites," nor as to "Nicaragua."

As to the "Dispute" between Lisa Miller and Janet Jenkins, Defendant states that it has had no communications with Lisa Miller (including at the zeusdesfor@aol.com email address) since September 12, 2009, and therefore has no responsive documents in its custody, possession or control after that date.

As to communications between Defendant and Lisa Miller between 2002 and September 12, 2009, about Lisa Miller's "Dispute" with Jenkins, Defendant objects to the request as overbroad, unduly burdensome, and not proportional to the needs of the litigation. The communications would have been about Defendant's lawful representation of Miller in the "Dispute," and would not have been about the unlawful conduct alleged in this lawsuit. Moreover, because of the lawyer-client relationship between Defendant and Lisa Miller, the communications would likely all be privileged. It would be too burdensome, and serve no purpose, to require Defendant to sift through all of its communications with Lisa Miller between 2002 and 2009 and to catalogue them individually as privileged.

12. All communications with god1ofchild@live.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control.

FIRST AMENDED OR SUPPLEMENTAL RESPONSE:

At the time it provided its initial response, Defendant did not understand, realize or recall that the email address "god1ofchild@live.com" was allegedly used by Defendant Lisa Miller. With this information in mind, Defendant now amends and supplements its objections and response as follows:

Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control as to "Lisa Miller's whereabouts from September 20, 2009, to date," nor as to "Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date," nor as to "the Beachy Amish Mennonites," nor as to "Nicaragua."

As to the "Dispute" between Lisa Miller and Janet Jenkins, Defendant states that it has had no communications with Lisa Miller (including at the god1ofchild@live.com email address) since September 12, 2009, and therefore has no responsive documents in its custody, possession or control after that date.

As to communications between Defendant and Lisa Miller between 2002 and September 12, 2009, about Lisa Miller's "Dispute" with Jenkins, Defendant objects to the request as overbroad, unduly burdensome, and not proportional to the needs of the litigation. The communications, if any, would have been about Defendant's lawful representation of Miller in the "Dispute," and would not have been about the unlawful conduct alleged in this lawsuit. Moreover, because of the lawyer-client relationship between Defendant and Lisa Miller, the communications would likely all be privileged. It would be too burdensome, and serve no purpose, to require Defendant to sift through all of its

communications with Lisa Miller between 2002 and 2009 and to catalogue them individually as privileged.

13. All communications with the Skype account with the username childofjesus1 concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control.

14. All communications with the Facebook account with identification number 1539940246 concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that it does not know what or whose Facebook account this request references, and that, in any event, it has no responsive documents in its custody, possession or control.

15. All documents and communications concerning the names, aliases, or identities used by Defendant Lisa Miller.

OBJECTION/RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control as to any names, aliases, or identities used by Lisa Miller other than "Lisa Miller." To the extent this request seeks all documents and communications wherein Lisa Miller is referred to as "Lisa Miller," Defendant objects on the ground that the request is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

16. All documents and communications concerning names, aliases, or identities used by Plaintiff Isabella Miller-Jenkins.

OBJECTION/RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control as to any names, aliases, or identities used by Isabella Miller other than “Isabella Miller,” “Isabella Miller-Jenkins” or “Izzy.” To the extent this request seeks all documents and communications wherein Isabella Miller is referred to as “Isabella Miller,” “Isabella Miller-Jenkins” or “Izzy,” Defendant objects on the ground that the request is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

17. All documents and communications concerning the Dispute.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable. It is unreasonable for Plaintiff to purport to require Defendant to produce the voluminous court documents publicly filed in the numerous court cases comprised in the “Dispute,” because those documents are public record and equally available to all parties. It is also unreasonable for Plaintiff to purport to require Defendant to search for and produce every document or communication Defendant has had with any person in the entire world about anything having to do with every aspect of the “Dispute” and the numerous court cases it comprises, over the course of 18 years.

Without waiving any objection and subject to them, Defendant states that it has no responsive documents in its custody, possession or control as to Lisa or Isabella Miller’s disappearance in 2009 or their whereabouts since 2009, other than documents reported publicly in the media or filed in any of the civil or criminal cases arising from Lisa Miller’s disappearance, which are equally available to all parties from the same sources.

As to documents and communications about the “Dispute” between Lisa Miller and Janet Jenkins that have not been publicly filed or produced, Defendant objects to the request as overbroad, unduly burdensome, and not proportional to the needs of the litigation. The documents and communications would be about Defendant’s lawful representation of Miller in the “Dispute,” and would not have been about the unlawful conduct alleged in this lawsuit. Moreover, because of the lawyer-client relationship between Defendant and Lisa Miller, the communications would likely all be privileged. It would be too burdensome, and serve no purpose, to require Defendant to sift through all of the documents in its litigation files and to catalogue them individually as privileged.

18. All documents and communications concerning the Court Orders.

OBJECTION/RESPONSE: See objections and response to Request 17, incorporated by reference here, as if fully restated.

19. All communications on November 20, 2009.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce all communications it had on November 20, 2009 with any person about any subject, even if wholly unrelated to anything at issue in this lawsuit.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control from November 20, 2009 as to Lisa or Isabella Miller's disappearance in 2009, or their whereabouts since 2009, or as to any other alleged unlawful act at issue in this lawsuit.

20. All documents and communications concerning the Protect Isabella Coalition.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

21. All documents and communications concerning the website www.protectisabella.com.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

22. All documents and communications concerning the Only One Mommy Facebook group, identification number 81022155363.

RESPONSE: Defendant will produce responsive non-privileged documents in its custody possession or control, if any.

FIRST AMENDED OR SUPPLEMENTAL RESPONSE:

Defendant Liberty Counsel has no responsive documents in its custody, possession or control, other than those produced by Defendant Lindevaldsen.

23. All documents and communications concerning <http://imgodschild.wordpress.com>.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control, other than what may be accessible to it and publicly from the referenced website, which is equally available to all parties from the same source.

24. All documents and communications concerning http://works.bepress.com/rena_lindevaldsen/ concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to this request because it is vague, ambiguous and unintelligible. To the extent Plaintiff is requesting materials available on the referenced website, they are equally available to all parties from the same source, and Defendant objects to having to re-produce those materials.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control as to "Lisa Miller's whereabouts from September 20, 2009, to date," nor as to "Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date," nor as to "the Beachy Amish Mennonites," nor as to "Nicaragua."

25. All documents and communications concerning <http://www.debbiethurman.com/> concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to this request because it is vague, ambiguous and unintelligible. To the extent Plaintiff is requesting materials available on the referenced website, they are equally available to all parties from the same source, and Defendant objects to having to re-produce those materials.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control, other than what may be accessible to it and publicly from the referenced website, which is equally available to all parties from the same source. Defendant further states that it has no responsive documents in its custody, possession or control as to "Lisa Miller's whereabouts from September 20, 2009, to date," nor as to "Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date," nor as to "the Beachy Amish Mennonites," nor as to "Nicaragua."

26. All documents and communications concerning <http://www.theformers.wordpress.com/> concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to this request because it is vague, ambiguous and unintelligible. To the extent Plaintiff is requesting materials available on the referenced website, they are equally available to all parties from the same source, and Defendant objects to having to re-produce those materials.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control, other than what may be accessible to it and publicly from the referenced website, which is equally available to all parties from the same source. Defendant further states that it has no responsive documents in its custody, possession or control as to "Lisa Miller's whereabouts from September 20, 2009, to date," nor as to "Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date," nor as to "the Beachy Amish Mennonites," nor as to "Nicaragua."

27. All documents and communications concerning <https://lezgetreal.com/> concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to this request because it is vague, ambiguous and unintelligible. To the extent Plaintiff is requesting materials available on the referenced website, they are equally available to all parties from the same source, and Defendant objects to having to re-produce those materials.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control, other than what may be accessible to it and publicly from the referenced website, which is equally available to all parties from the same source. Defendant further states that it has no responsive documents in its custody, possession or control as to "Lisa Miller's whereabouts from September 20, 2009, to date," nor as to "Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date," nor as to "the Beachy Amish Mennonites," nor as to "Nicaragua."

28. All documents and communications concerning <https://www.lifesitenews.com/> concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

OBJECTION/RESPONSE: Defendant objects to this request because it is vague, ambiguous and unintelligible. To the extent Plaintiff is requesting materials available on the referenced website, they are equally available to all parties from the same source, and Defendant objects to having to re-produce those materials.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control, other than what may be accessible to it and publicly from the referenced website, which is equally available to all parties from the same source. Defendant further states that it has no responsive documents in its custody, possession or control as to "Lisa Miller's whereabouts from September 20, 2009, to date," nor as to "Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date," nor as to "the Beachy Amish Mennonites," nor as to "Nicaragua."

29. All communications with Matthew Cullinan Hoffman concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

30. Documents sufficient to show Defendant Lisa Miller's whereabouts from September 13, 2003, through September 19, 2009.

RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

Without waiving any objections and subject to them, Defendant will produce responsive, non-privileged documents in its custody, possession or control, if any, sufficient to identify addresses where Lisa Miller may have resided prior to Defendant's last communication with Lisa Miller. To the extent this request seeks more, Defendant objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

FIRST AMENDED OR SUPPLEMENTAL RESPONSE:

Without waiving any objections and subject to them, see LC 0001.

31. Documents sufficient to show Plaintiff Isabella Miller-Jenkins' whereabouts from April 16, 2002, through September 19, 2009.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges.

Without waiving any objections and subject to them, Defendant will produce responsive, non-privileged documents in its custody, possession or control, if any, sufficient to identify addresses where Isabella may have resided prior to Defendant's last communication with Lisa Miller. To the extent this request seeks more, Defendant objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

FIRST AMENDED OR SUPPLEMENTAL RESPONSE:

Without waiving any objections and subject to them, see LC 0001.

32. All documents, regardless of when created or dated, concerning Defendant Lisa Miller's whereabouts from September 20, 2009 to date.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control, other than documents reported publicly in the media or filed in any of the civil or criminal cases arising from Lisa Miller's disappearance, which are equally available to all parties from the same sources.

33. All documents, regardless of when created or dated, concerning Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control, other than documents reported publicly in the media or filed in any of the civil or criminal cases arising from Lisa Miller's disappearance, which are equally available to all parties from the same sources.

34. All documents and communications concerning Your whereabouts on September 20, 2009, September 21, 2009, and September 22, 2009.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, ambiguous and unintelligible. Defendant is a Florida corporation. Defendant does not know what the terms “whereabouts” refers to in the context of a corporate entity. To the extent the request seeks documents about the whereabouts of each of Defendant’s successors and predecessors in interest, and each of Defendant’s current and former officers, directors, employees, partners, parents, subsidiaries, affiliates, agents, consultants, and others, Defendant objects on the grounds that the request is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

35. All communications on September 20, 2009, September 21, 2009, and September 22, 2009.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce all communications it had on September 20, 2009, September 21, 2009, and September 22, 2009 with any person about any subject, even if wholly unrelated to anything at issue in this lawsuit.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control from September 20, 2009, September 21, 2009, and September 22, 2009 as to Lisa or Isabella Miller’s disappearance in 2009, or their whereabouts since 2009, or as to any other alleged unlawful act at issue in this lawsuit.

36. All documents and communications concerning events that happened, or were planned or expected to happen, on September 20, 2009, September 21, 2009, and September 22, 2009.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce all documents and communications about “events” on September 20, 2009, September 21, 2009, and September 22, 2009 that had nothing whatsoever to do with anything at issue in this lawsuit.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control about any plan or expectation involving Lisa or Isabella Miller’s disappearance, nor about any related events that happened on September 20, 2009, September 21, 2009, and September 22, 2009, other than

what has been reported publicly by the media or what has been filed in various criminal or civil cases.

37. All documents and communications concerning Nicaragua.

OBJECTION/RESPONSE: To the extent this request seeks documents and communications concerning “Nicaragua” that are not related to the disappearance of Lisa Miller or any other aspect of this case, Defendant objects on the ground that the request is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable. Defendant will construe this request as limited to documents and communications concerning “Nicaragua” that are related to the disappearance of Lisa Miller.

Defendant states that it has no responsive documents in its custody, possession or control, other than documents reported publicly in the media or filed in any of the civil or criminal cases arising from Lisa Miller’s disappearance, which are equally available to all parties from the same sources.

38. All documents and communications concerning Beachy Amish Mennonite Church in Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control, other than documents reported publicly in the media or filed in any of the civil or criminal cases arising from Lisa Miller’s disappearance, which are equally available to all parties from the same sources.

39. All communications with the Beachy Amish Mennonite Church in Nicaragua.

RESPONSE: Defendant states that it has had no communications with the Beachy Amish Mennonite Church in Nicaragua and thus has no responsive documents in its custody, possession or control.

40. All documents and communications concerning any Aid directly or indirectly given to Defendant Lisa Miller concerning her compliance or noncompliance with the Court Orders.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant will produce responsive, non-privileged documents in its custody, possession or control, if any, regarding Aid provided to Lisa Miller concerning her compliance with Court Orders.

Defendant states that it has no responsive documents regarding any Aid provided to Lisa Miller concerning her noncompliance with Court Orders.

41. All documents concerning any Aid directly or indirectly given to Defendant Lisa Miller or Plaintiff Isabella Miller-Jenkins concerning their departure from 203B Greentree Drive, Forest, Virginia, in September 2009, travel to Canada, departure from the United States, travel to Nicaragua, living in Nicaragua, or remaining in Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

42. All documents and communications concerning Defendant Lisa Miller's effort to remain undetected by the United States authorities, including but not limited to Aid directly or indirectly given to her to allow her to avoid such detection.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

43. All documents and communications concerning jesman21@gmail.com.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

44. All communications with jesman21@gmail.com.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

45. All communications with Jessica Fehr.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

46. All documents and communications concerning 203B Greentree Drive, Forest, Virginia, including but not limited to payment of rent and the removal and storage of personal property.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control concerning the payment of rent or the removal and storage of personal property at 203B Greentree Drive, Forest, Virginia.

47. All communications on November 8, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce all communications it had on November 8, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009 with any person about any subject, even if wholly unrelated to anything at issue in this lawsuit.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control from November 8, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009 as to Lisa or Isabella Miller's disappearance in 2009, or their whereabouts since 2009, or as to any other alleged unlawful act at issue in this lawsuit.

48. All documents and communications concerning events that happened, or were planned or expected to happen, on November 9, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009.

OBJECTION/RESPONSE: Defendant objects to this request to the extent it seeks documents protected by the attorney-client and work-product privileges. Defendant also objects to the request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable. It is unreasonable for Plaintiff to purport to require Defendant to search for and produce all documents and communications about "events" on November 9, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009 that had nothing whatsoever to do with anything at issue in this lawsuit.

Without waiving any objections and subject to them, Defendant states that it has no responsive documents in its custody, possession or control about any plan or expectation involving Lisa or Isabella Miller's disappearance, nor about any related events that

happened on November 9, 2009, November 9, 2009, November 10, 2009, November 11, 2009, November 12, 2009, and November 13, 2009, other than what has been reported publicly by the media or what has been filed in various criminal or civil cases.

49. All communications with Anthony Phelps, the landlord of 203B Greentree Drive, Forest, Virginia.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

50. Documents sufficient to Identify all telephone numbers, including but not limited to landlines or cellular lines or applications, used by You in 2009 to date.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, unduly burdensome, vague, ambiguous, not intelligible, not proportional to the needs of the litigation, and impracticable.

51. Documents sufficient to Identify all email addresses used by You in 2009 to date.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, unduly burdensome, vague, not proportional to the needs of the litigation, and impracticable.

52. Documents sufficient to Identify all international calling services and the accounts or numbers, including but not limited to PennyTalk and VIVOphone, used by You in 2009 to date.

OBJECTION/RESPONSE: Defendant states that it has not used any PennyTalk or VIVOphone calling services, and thus has no responsive documents in its custody, possession or control. To the extent this request seeks information about other “international calling services,” Defendant is unable to tell what the request seeks, and thus objects on the grounds that the request is vague and ambiguous.

53. Documents sufficient to Identify social media and electronic means of communication used by You in 2009 to date.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is vague, ambiguous and unintelligible. Defendant construes the request as seeking information about social media accounts used by Defendant Liberty Counsel as a corporate entity from 2009 to date.

Defendant will produce responsive, non-privileged documents in its custody, possession or control sufficient to identify social media accounts it has used from 2009 to date.

FIRST AMENDED OR SUPPLEMENTAL RESPONSE:

Without waiving any objections and subject to them, see LC 0003-0225.

54. All communications with the Facebook account of Lisa Wall, identification number 1436421487, concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that it does not know who Lisa Wall is, and has had no communications with the Facebook account of Lisa Wall. Accordingly, Defendant has no responsive documents in its custody, possession or control.

55. All communications with wall4america@netzero.net concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

56. All communications with the Facebook account of Beth Ehrhorn, identification number 1072853392, concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

57. All communications with behrhorn@aol.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant will produce responsive, non-privileged documents in its custody, possession or control, if any.

FIRST AMENDED OR SUPPLEMENTAL RESPONSE:

Defendant Liberty Counsel has no responsive documents in its custody, possession or control, other than those produced by Defendant Lindevaldsen.

58. All communications with the Facebook account of Sarah Bloedorn, identification number 1371510997, concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

59. All communications with qtjars@gmail.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

60. All communications with timjomiller@gmail.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

61. All communications with kingdomseeker1@gmail.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

62. All communications with millersofwaslala@gmail.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

63. All communications with phillipz@responseunlimited.com concerning the Dispute; Defendant Lisa Miller's whereabouts from September 20, 2009, to date; Plaintiff Isabella Miller-Jenkins' whereabouts from September 20, 2009, to date; the Beachy Amish Mennonites; or Nicaragua.

RESPONSE: Defendant states that it has no responsive documents in its custody, possession or control.

64. All documents and communications concerning Your policies or positions concerning same-sex marriage, same-sex civil unions, or same-sex relationships.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, vague, irrelevant and not likely to lead to discovery of admissible evidence, not proportional to the needs of the litigation, unduly burdensome, and impracticable. Defendant also objects to this request on the grounds that it violates the First Amendment.

65. All documents and communications concerning Your policies or positions concerning whether homosexual persons should have custody of or visitation with children.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, vague, irrelevant and not likely to lead to discovery of admissible evidence, not proportional to the needs of the litigation, unduly burdensome, and impracticable. Defendant also objects to this request on the grounds that it violates the First Amendment.

66. All documents and communications concerning Your policies or positions concerning the relative supremacy of secular law (including but not limited to court orders and court opinions) over religion, morality, ethics, or conscience.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, vague, irrelevant and not likely to lead to discovery of admissible evidence, not proportional to the needs of the litigation, unduly burdensome, and impracticable. Defendant also objects to this request on the grounds that it violates the First Amendment.

67. All documents and communications concerning Your policies or positions concerning the relative supremacy of religion, morality, ethics, or conscience over secular law (including but not limited to court orders and court opinions).

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, vague, irrelevant and not likely to lead to discovery of admissible evidence, not proportional to the needs of the litigation, unduly burdensome, and impracticable. Defendant also objects to this request on the grounds that it violates the First Amendment.

68. All documents and communications concerning Your policies or positions concerning compliance or noncompliance with the Court Orders.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, vague, irrelevant and not likely to lead to discovery of admissible evidence, not proportional to the needs of the litigation, unduly burdensome, and impracticable. Defendant also objects to this request on the grounds that it violates the First Amendment.

69. All documents and communications concerning Your policies or positions concerning whether Plaintiff Janet Jenkins should have custody of or visitation with Plaintiff Isabella Miller-Jenkins.

OBJECTION/RESPONSE: Defendant objects to this request on the grounds that it is overbroad, vague, irrelevant and not likely to lead to discovery of admissible evidence, not proportional to the needs of the litigation, unduly burdensome, and impracticable. Defendant also objects to this request on the grounds that it violates the First Amendment.

/s/ Horatio G. Mihet
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Attorneys for Defendant Liberty Counsel

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of June, 2019, a true and correct copy of the foregoing First Amended and Supplemental objections and responses were served via electronic mail on all counsel of record for Plaintiff and Defendants, including:

Beth D. Jacob, Esq. (beth.jacob@splcenter.org)
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Counsel for Defendants Response Unlimited, Inc., Philip Zodhiates, and Victoria Hyden

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Counsel for Defendant Linda Wall

/s/ Horatio G. Mihet
Horatio G. Mihet

Attorney for Defendant Liberty Counsel

Acceptable Use Policy

Policy

Liberty University will document and communicate its standards of acceptable use of University computing resources.¹ The information systems of Liberty University are intended for the use of authorized members of the community in the conduct of their academic and administrative work. Liberty's information systems consist of all networking, computing and telecommunications wiring, equipment, networks, security devices, passwords, servers, computer systems, computers, computer laboratory equipment, workstations, Internet connection(s), electronic mail services, television and radio technologies, University-owned mobile communication devices and all other intermediary equipment, services and facilities (hereafter referred to as "information systems"). These assets are the property of the University.

Users of Liberty University computing resources are expected to review and understand the contents of this policy and its associated standards.

Standards

User Rights and Responsibilities

Assent to Terms of the Acceptable Use Policy

By accessing and/or using University information systems, and/or by "clicking through" a usage agreement during sign-on to any university system, registration onto Liberty University's Network or other equipment registration procedure, users assent to the Terms

Access To and Use of Systems/Normal Duration of Service

Access to and use of Liberty information systems are privileges granted by the University to faculty, staff, students and authorized third parties. Additional electronic experiences that may be offered to parents and extended populations are included under the provisions of this paragraph. The University retains sole discretion over the extent to which access privileges are granted, extended and/or revoked.

Use of Computer Accounts and Facilities

Members of the Liberty community may use only the computer accounts and facilities authorized by the University for their individual use. Use of another person's account, identity, security devices/tokens, or presentment of false or misleading information or credentials, or unauthorized use of information systems/services is prohibited.

Behavior of all users on the network will be consistent with the mission of the University, and in accordance with The Liberty Way (for resident students), The Liberty Way Online Honor Code (for Online students), Faculty Handbook (for Residential faculty), The LU Online Faculty Handbook (for Online faculty, currently under review), and The Employee Handbook (for staff).

Management of University Assigned Computers

Faculty & Staff will allow their systems to be managed via the IT Desktop Management department, to ensure their systems are kept up to date, and collect appropriate asset management data. Software discovered on managed Faculty/Staff machines that is not in compliance with this policy

(such as violation of valid licensing) may be removed remotely or automatically as part of routine maintenance without notice to the user.

All 3rd party software must be properly licensed. Each user accepts personal responsibility for the legality of all software not installed by Desktop Management or approved by the IS Accounts Management & Compliance office.

Users Responsible for Actions Conducted Under their User ID(s)

Users are responsible for all use of information systems conducted under their user ID(s), and are expected to take all precautions including password security and file protection measures to prevent use of their accounts and files by unauthorized persons/entities. Sharing of passwords or other access tokens with others is prohibited. Users who disclose their passwords to third parties are solely responsible for all consequences arising from such disclosure.

Duties When Speaking in Electronic Communications

Use of University email for non-university communication is discouraged.

Posting of Personal Information/Web Pages/Other Electronic Writings

Users are responsible for the timeliness, accuracy and content/consequences of their personal information, web pages and other electronic writings. Personal information of members of the Liberty community, including, but not limited to students, faculty and staff, may not be posted or maintained on public networks or sites, unless the user fully complies with applicable laws and regulations governing handling of personal information.

Use of University-Recognized Messaging Systems

Electronic messages pertaining to the official business of the University, including all academic and administrative matters should be sent from University-owned or University-recognized messaging systems. For example, inquiries about students must be sent from an account associated with a University-recognized e-mail system. Replies from faculty or staff must be sent using the same University-recognized accounts. In cases where unrecognized third-party messaging systems are used to originate a message, and/or where a party chooses to forward messages from a University-owned or University-recognized system to a third-party unrecognized system, individuals using these systems will be solely responsible for all consequences arising from such use.

Commercial Use

University information systems may not be used for commercial purposes except only as permitted with the explicit prior written approval of the Offices of the Provost and General Counsel.

Offering, Providing, Lending or Renting Access to University Systems

Users may not offer, provide, lend, rent or sell access to University information systems. Users may not provide access to individuals outside the University community. Expansion or redistribution of Liberty's cable television services is not permitted. Personal, private or departmental switches, routers, wireless access points or DHCP-serving devices may not be connected to centrally-managed administrative network segments, except only as may be agreed to in writing between the device owner and Information Technology Services.

Compliance with Internet Service Provider Terms of Use

Internet use must comply with the Terms of Service stipulated by our Internet service provider(s). In addition, the Acceptable Use, Terms of Service and/or other policies of systems and/or electronic resources accessed through University Internet connection(s) also bind users of University Internet connections. Failure of users to comply with these Terms of Service may result in sanctions, up to and including separation from the University.

Use of Remote Resources

Users may not connect to remote resources such as a printer, file systems, or any other remote resource, regardless of location on or off the Liberty network, unless the administrator of the remote resource has first granted permission to do so.

All access to University electronic resources will occur through reasonable and customary means. For example, all electronic resources offered through a web-based experience should be accessed using a web browser only.

Electronic resources are available to faculty and staff using "remote access", also known as the Virtual Private Network (VPN). The University reserves and intends to exercise its right to determine:

- who may use the VPN,
- from what locations the VPN may be accessed,
- what services and experiences are offered through the VPN,
- the extent of individual access rights when using the VPN, and to limit or block connections not originating from the VPN.

Exclusions to this policy provision may be made to vendors and affiliates who maintain private connections to the University network.

All users establishing a connection to the University network through the VPN or by any other means are responsible to ensure antivirus software is present on their computer, and that its protection signatures are up to date.

Irresponsible/Wasteful Use

Users may not use information systems irresponsibly, wastefully or in a manner that adversely affects the work or equipment of others at Liberty or on the Internet.

Specific Prohibitions on Use of Information Systems

- Harass, threaten, defame, slander or intimidate any individual or group;
- Generate and/or spread intolerant or hateful material, which in the sole judgment of the University is directed against any individual or group, based on race, religion, national origin, ethnicity, age, gender, marital status, sexual orientation, veteran status, genetic makeup, or disability;
- Transmit or make accessible material, which in the sole judgment of the University is offensive, violent, pornographic, annoying or harassing, including use of Liberty information systems to access and/or distribute obscene or sexually explicit material unrelated to University sanctioned work or bona fide scholarship;
- Generate unsolicited electronic mail such as chain messages, unsolicited job applications or commercial announcements;
- Generate falsely identified messages or content, including use of forged content of any description;
- Transmit or make accessible password information;
- Attempt to access information systems and/or resources for which authority has not been explicitly granted by the system owner(s);
- Capture, decipher or record user IDs, passwords, or keystrokes;
- Manipulate or tamper with uniform resource locators (URLs);
- Intercept electronic communications of any kind;

- Probe by any means the security mechanisms of any resource on the Liberty network, or on any other network through a connection to the Liberty network;
- Disclose or publish by any means the means to defeat or disable the security mechanisms of any component of a Liberty University Information System or network;
- Alter, degrade, damage or destroy data;
- Transmit computer viruses or malicious/destructive code of any description; • Conduct illegal, deceptive or fraudulent activity;
- Obtain, use or retransmit copyrighted information without permission of the copyright holder;
- Engage in crypto-currency mining using Liberty electronic or network resources;
- Communicate in a manner that could be utilized for academic cheating;
- Place bets, wagers or operate games of chance; or
- Tax, overload, impede, interfere with, damage or degrade the normal functionality, performance or integrity of any device, service or function of Liberty information systems, content, components, or the resources of any other electronic system, network, service or property of another party, corporation, institution or organization.

The above enumeration is not all-inclusive. If there is a question as to whether a specific use is appropriate or acceptable under this policy, the University's sole determination will prevail. For additional information, contact the HelpDesk.

University Rights and Responsibilities

General Rights of the University

To protect Liberty information systems against unauthorized or improper use, and to protect authorized users from the effects of unauthorized or improper usage, the University reserves the right with or without notice, to monitor, record, limit or restrict any user account, access and/or usage of account. The University may also monitor, record, inspect, copy, remove or otherwise alter any data, file or system resources in its sole discretion. The University further reserves the right to periodically inspect systems and take any other actions necessary to protect its information systems. The University also retains access rights to all files and electronic mail on its information systems. Anyone using these systems expressly consents to such monitoring.

Right to Seize/Inspect University-Owned Computing Devices

The University reserves the right at any time, with or without prior notice or permission from the user or users of a computer or other University-owned computing device, to seize such device and/or copy or have copied, any and all information from the data storage mechanisms of such device as may be required in the sole discretion of the University in connection with investigations of possible wrongdoing or legal action. In addition to the foregoing, privately owned devices connected to the University network are also subject to inspection by authorized University personnel.

Right to Block Content

The University reserves the right to reject from the network or block electronic communications and content deemed not to be in compliance with policies governing use of University information systems.

Right to Disclosure Information

The University may disclose information, including pursuant to an internal or external investigation of alleged misconduct or wrongdoing, and may provide information to third parties, including law

enforcement. By accessing Liberty information systems, users give Liberty permission to conduct each of the operations described above.

Detection of Plagiarism/Academic Dishonesty

The University reserves the right to use, and intends to use manual and/or automated means to assess materials submitted as academic work submitted electronically for indications of plagiarism or other form(s) of academic dishonesty.

Actions to be Taken When a Policy Violation is Identified

When a potential violation is identified, the appropriate system manager or unit head, the Information Security Office, and any other University employees or agents as are deemed appropriate, are authorized to investigate and initiate action in accordance with University policy. Repeated violations may result in suspension or termination of service(s). In addition, the University may require restitution for any use of information systems that violates this policy. The University may also provide evidence of possible illegal or criminal activity to law enforcement authorities.

Noncompliance to these standards will be subject to disciplinary actions outlined in the academic honor code and personal conduct that applies to them, such as The Liberty Way, Residential Graduate Honor Code and LU Online Code of Honor (for students), the Faculty Staff Handbook or the LU Online Faculty Handbook (for faculty) and/or the Employee Handbook (for staff).

Noncompliance to these standards by any guest may result in the revocation of all access to Liberty University computing resources.

Consequences of Policy Violation

Any unauthorized, inappropriate, illegal or illegitimate use of the University's information systems, or failure to comply with this policy will constitute a violation of University policy and will subject the violator to disciplinary action by the University up to and including separation of employment or relationship, and may result in legal action.

For infractions not outlined in an applicable academic honor code or personal conduct code, disciplinary actions will be at the discretion of the Office of Student Conduct (for students), the Department's Chair or Dean and/or Human Resources (for faculty) and/or the Department's manager and/or Human Resources (for staff).

Termination of Access to University Systems and Services

Notwithstanding any other provision of this policy, authorization to access the information systems and resources of Liberty University ends at the termination of employment, end of a recognized role or relationship or loss of sponsorship. Electronic mail accounts can be an exception with the understanding that all Liberty Usernames and E-mail accounts are property of Liberty University and as such Liberty University retains exclusive rights to the creation, assignment, revocation, usage and content management of all Liberty Usernames and E-mail accounts.

Confidentiality/Privacy Sections

Electronic Content Property of the University Right of University to Monitor Content

University information systems and the messages, e-mail, files attachments, graphics and Internet traffic generated through or within these systems are the property of the University. They are not the private property of any University employee, faculty, staff, contractor, student or any other person. No user of University systems should have an expectation of privacy in their electronic communications. All electronic communications, files and content presented to and/or passed on the Liberty network, including those to, from or through Internet connection(s) may be monitored,

examined, saved, read, transcribed, stored or re-transmitted by an authorized employee or agent of the University, in its sole discretion, with or without prior notice to the user. The University reserves and intends to exercise the right to do so. Electronic communications and content may also be examined by automated means.

Confidentiality of Content

The confidentiality of any content should not be assumed. Even when a message or material is deleted, it may still be possible to retrieve and read the message or material. Further, use of passwords for security does not guarantee confidentiality. Messages read in HTML may identify the reader to the sender. Aside from the right of the University to retrieve and read any electronic communications or content, such messages or materials must be treated as confidential by other students or employees and accessed only by the intended recipient. Without prior authorization, no person is permitted to retrieve or read electronic mail messages not sent to them.

Responsibility to Maintain Confidentiality

Notwithstanding the University's right to audit or monitor its information systems, all users are required to observe the confidentiality and privacy of others' information accessed through Liberty information systems and records of every description, including information pertaining to University programs, students, faculty, staff and affiliates. Without proper authorization, users are not permitted to retrieve or read content not intentionally addressed to them. With proper authorization, the contents of electronic mail or Internet messages or materials may be accessed, monitored, read or disclosed to others within the University or otherwise.

Electronic Privacy Right

The electronic privacy rights of others should be respected at all times. Use of audio, video, cell phone, "web cam" or related technologies, for the purpose of capturing images and/or recording speech in locations or circumstances where a reasonable expectation of privacy exists is prohibited without the consent of the subject(s) depicted and/or recorded. This provision should not apply to lawful surveillance conducted by law enforcement agencies. The University reserves the right to impose additional restrictions on use of electronic recording devices, in its sole discretion. Questions about the applicability of this provision to a particular situation should be referred to the Office of General Counsel or the Director of Information Security.

Handling of Sensitive Information Disposal of Equipment and Storage Media

Printed materials, computer equipment and storage media containing sensitive and/or protected information should be handled in accordance with Information Disposal Requirements, Asset Disposition procedures, and hazardous materials regulations.

No Guarantee of Protection Against Unauthorized Access

Prohibition on Accessing/Moving Data Belonging to Another Account holder

While the University attempts to protect electronic communication and files from unauthorized access, this cannot be guaranteed. Users may not access, copy or move files including, but not limited to programs, data and electronic mail belonging to another account, without prior authorization from the account holder. Files may not be moved to other computer sites without permission from the account holder whose account under which the files reside.

Compliance with Laws Sections

Requirement to Comply with Applicable Local, State and Federal Laws Concerning Use, Dissemination and Disclosures of Information

The University strives to maintain the security and privacy of electronic communications. Use of Liberty University information systems or resources, dissemination, and disclosures of information, must comply with the provisions of applicable local, state and federal laws, regulation and University policy.

Lawful Use

Liberty information systems may be used for lawful purposes only. It is prohibited to use Liberty information systems for unlawful purposes, including, but not limited to the installation of fraudulently or illegally obtained software, harmful software, illegal dissemination of licensed software, sharing of content where the disseminator does not hold lawful intellectual property rights, propagating chain messages, pyramid, ponzi, other unlawful or deceptive schemes, or for any purpose contrary to local, state, federal law or University policy.

Compliance with Copyright Law

Use of University information systems must comply with provisions of copyright law and fair use. Copyright law limits the rights of a user to decrypt, copy, edit, transmit or retransmit another's intellectual property, including written materials, images, sounds, music, and performances, even in an educational context, without permission, except where such use is in compliance with Fair Use or TEACH Act provisions.

Compliance with Export Control Regulations

Exports of computing equipment and information technologies from the University must be in compliance with US Export Control Regulations.

Notice of Right to Change Acceptable Use Policy

The University reserves the right to change this policy or any portion of the policy, at any time, with or without prior notice. Changes to this policy are effective upon posting in the University Policy Directory, where the most current version resides. The AUP was last revised on September 17, 2018. This policy replaces PG0017.

Scope

All University Students (Residential and Online), Faculty, Staff and guests who may utilize University information systems.

Purpose

The policy is based on the principle that the electronic information environment is provided to support University business and its mission of education, research and service. Other uses are secondary. Uses that threaten the integrity of the system; the function of non-University equipment that can be accessed through the system; the privacy or actual or perceived safety of others; or that are otherwise illegal are forbidden.

By using University electronic information systems you assume personal responsibility for their appropriate use and agree to comply with this policy and other applicable Liberty University policies, as well as City, State and Federal laws and regulations.

Definitions

VPN - Virtual Private Network. Technology used for secure communication from a remote location to a network resource.

National Institute of Standards and Technology Cybersecurity Framework (NIST CSF) - Provides a policy framework of computer security guidance for how private sector organizations in the United States can access and improve their ability to prevent, detect and respond to cyber attacks.

International Organization for Standardization (ISO) 27000 - Part of the system for worldwide standardization

References

ISO/IEC 27001 2013 (More information available upon request)

8.1.3 Acceptable use of assets

NIST 800-53: More information here

PS-6 Access Agreements

¹ ISO 27000: 8.1.3 (Policy 020121)

² NIST 800-53 PS-6

September 21, 2018



CHRIS HARA (Sep 21, 2018)

CHRIS HARA



John Gauger

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT**

JANET JENKINS, et al.,

Plaintiffs,

v.

No. 2:12-cv-184-WKS

KENNETH L. MILLER, et al.,

Defendants.

**DECLARATION OF J. TYLER CLEMONS
IN SUPPORT OF PLAINTIFFS' MOTION TO COMPEL DEFENDANTS LIBERTY
COUNSEL, INC., AND RENA LINDEVALDSEN TO COMPLY WITH PLAINTIFFS'
FIRST REQUESTS FOR PRODUCTION**

I, J. Tyler Clemons, declare under penalty of perjury that the following is true and correct:

1. My name is J. Tyler Clemons and I am counsel for Plaintiffs in the above-captioned action.
2. Plaintiffs conferred with counsel for Defendants Liberty Counsel, Inc. and Rena Lindevaldsen by telephone on February 11, 2019, and April 12, 2019 in a good faith effort to reduce or eliminate the controversy or arrive at a mutually satisfactory resolution to this discovery dispute.
3. On June 27, 2018, Plaintiffs served Defendants with their First Requests for Production of Documents ("the Requests"). True and correct copies of the Requests served on Lindevaldsen and Liberty Counsel are attached to this motion as Exhibit 1 and Exhibit 2, respectively.
4. Defendants Liberty Counsel and Rena Lindevaldsen provided substantially identical responses and objections to those Requests—but produced no documents—on October

15, 2018. True and correct copies of Lindevaldsen and Liberty Counsel's responses and objections are attached to this motion as Exhibit 3 and Exhibit 4, respectively.

5. On January 15, 2019, Defendant Lindevaldsen made an initial production of documents totaling 346 pages, 315 of which were grayscale printouts from Facebook.

6. Plaintiffs conferred with Liberty Counsel, on behalf of itself and Lindevaldsen, via telephone on February 11, 2019, to discuss Defendants' responses and objections. The call lasted approximately one hour but was cut short because defense counsel had a prior engagement.

7. Plaintiffs conferred with Liberty Counsel, on behalf of itself and Lindevaldsen, again on April 12, 2019, to finish discussing Defendants' responses and objections. This call also lasted approximately one hour. Following this call, I memorialized the conclusions of both conferences in a letter to defense counsel sent April 17, 2019. A true and correct copy of this letter is attached to this motion as Exhibit 5.

8. During the April 12, 2019 conference, Defendants agreed to produce responsive documents on May 10, 2019.

9. On June 10, 2019, one month after the agreed-upon date, Liberty Counsel provided Plaintiffs with supplemental responses and objections to the Requests. Defendants confirmed that Liberty Counsel's positions regarding its objections and responses to the Requests are the same as those of Lindevaldsen. A true and correct copy of these supplemental responses and objections is attached to this motion as Exhibit 7. Liberty Counsel also made a production of 225 pages, 224 of which consisted of grayscale printouts from Facebook, YouTube, and Liberty Counsel's own websites. Lindevaldsen produced no additional documents. Defendants refused to produce privilege logs for either production.

10. To date, Defendants have produced a total of 571 pages in response to Plaintiffs' Requests. Of these, only five pages comprise documents that are not webpages or communications with Plaintiffs' counsel.

11. I accessed Liberty University's "Acceptable Use Policy" at <https://www.liberty.edu/informationsservices/index.cfm?PID=41188> on July 23, 2019. A true and correct copy of that policy is attached as Exhibit 7 to this motion.

12. I make this Declaration on my own knowledge, information, and belief.

DATED at New Orleans in the Parish of Orleans and State of Louisiana this 23d day of July, 2019.

A handwritten signature in black ink, reading "Tyler Clemons", written over a horizontal line.

J. Tyler Clemons