

Maryland Circuit Court for Anne Arundel County

CHRISTOPHER DAVID MCKEON,)	
)	
Plaintiff,)	
v.)	
Charing Cross Townhouse Condominium, Inc.,)	Case No. 02-C-08-132379 I J
Joseph R. DeSantis,)	
Carol Frankhouser,)	
Kathleen Marek,)	
Michael J. Helpa,)	
COMANCO, INC.,)	
Ruth Angell,)	
Defendants.)	
)	

**PLAINTIFF’S REQUEST FOR PRODUCTION OF DOCUMENTS TO
DEFENDANT COMANCO, DEFENDANT ANGELL AND DEFENDANT
CHARING CROSS TOWNHOUSE ASSOCIATION, INC.**

TO: DEFENDANTS COMANCO, ANGELL AND CHARING CROSS
TOWNHOUSES ASSOCIATION, INC., to be answered individually and
separately

FROM: PLAINTIFF CHRISTOPHER D. MCKEON

1. You are requested to file within thirty (30) days a written response to this request, separately and individually, and to produce the documents below:
 - a. Your written response shall state with respect to each item or category, that inspection-related activities will be permitted as requested, unless request is refused, in which event the reasons for refusal shall be stated. If the refusal relates to part of an item or category, that part shall be specified.
 - b. In accordance, the documents shall be produced as they are covered in the usual course of business or you shall organize and label them to correspond with the categories in the request.

- c. These requests shall encompass all items within your possession, custody or control.
- d. These requests are continuing in character so as to require you to promptly amend or supplement your response if and when you obtain, create, develop, receive or in any way generate further material information such as, but not limited to, the monthly management reports sent to directors, correspondence and emails.
- e. If in responding to these requests you encounter any ambiguity in construing any request, instruction or definition, set forth the matter deemed ambiguous in the construction used, in responding.
- f. Unless otherwise specified in a specific request below, the time period for all documents requested herein shall be April 1, 2000 through the present day.

DEFINITIONS

- 2. As used in these requests, the following terms are to be interpreted in accordance with these definitions:
 - a. The term “person” includes any individual, joint stock company, unincorporated association or society, municipal or other corporation, state, which agencies or political subdivisions, and court, or any other governmental entity.
 - b. The terms “you” or “your” include the persons to whom these requests are addressed, and all that person's agents, representatives or attorneys.
 - c. In accordance, the terms, “document” or “documents” includes all writings, drawings, graphs, charts, photographs, recordings, and any other data

computations from which information can be obtained, translated, if necessary by (you), through detection devices, into reasonably usable form.

d. The term “governing body” has the same meaning as Maryland Condominium Act § 11-101(i).

e. The term “quoted text” or “thread” means previous and prior emails that constitute a thread or chain of communication between the specified email and those that came before it or prompted the specified email, which are often and usually quoted beneath the specified email so as to provide reference for the communication contained in the specified email.

f. The term “native” means the original or “as normally used or stored” format for electronically created and/or stored information or data.

g. The term “metadata” means the identifying and other data that provides knowledge of or about electronically stored information.

h. The term “email metadata” means all header information that identifies all aspects of email such as from/to, date/time sent/received/read, cc, bcc, any other parties to the email, server information, path and physical location through which the email was sent by Defendant Comanco (server information may be provided once if in so doing all emails sent through said server are identified), original attachments and all other metadata stored with the email.

i. The term “manager” means the person assigned by Defendant Comanco to manage the Association’s property.

j. The term “document” includes, besides its plain meaning, electronic, paper or other materials that may be rendered into electronic or paper form.

- k. All requests herein are for the Comanco account for the Association.
Charing Cross Townhouse Association, Inc. (“Association”).

DOCUMENTS TO BE PRODUCED

3. Copy of defendant’s document retention policy.

GOVERNING BODIES

4. All minutes of all governing bodies of the Association from April 1, 2000 through the present day, organized by the governing body (Board, members, committees, etc.).
5. All Unit Activity Reports, or other such reports not so named or described but which have the same or similar function to the currently-named Unit Activity Reports, from April 1, 2000 through the present day.
6. All architectural/landscaping change requests submitted to you by fax, mail, electronic mail, in person or by any other means.
7. All election records and any records or documents related to elections from 2000 through the present day.
8. All Board/Committee Rosters.
9. All documents showing Association director removals, resignations, vacancies on the Association’s board of directors, appointments by the board to fill director vacancies.

COMMUNICATIONS

10. All emails written or received by any of your employees regarding, by or about any Association business, interests or any other discussion about or relevant to the

Association, to include all quoted text or threads and all email metadata from April 1, 2000 through the present day.

11. All telephone records that show calls from/to, duration, date/time between any Comanco telephone number, listed or unlisted, and any telephone numbers now or previously on file with Comanco belonging to any and all past or present directors of the Association. Each Comanco telephone number shall be identified in a list as to ownership, use, employee/person assigned to (such as an extension or private/direct line).

12. All group correspondence to directors and/or members of the Association, including, but not limited to, notice of meetings, calls for nominations, notice of elections, walk-throughs, Association informational notices, etc.

13. All correspondence individually sent to members, renters, non-renters or any other person or organization residing or having an interest in the Association's condominium project.

14. All correspondence between the Association and its attorneys Michael S. Neall, Earl Schaeffer, and any others not heretofore known to Plaintiff (excluding lawfully privileged correspondence related to the above-captioned Complaint).

15. The petition calling for an audit of the Association's records, submitted to Defendant Comanco by Plaintiff May 28, 2008; all documents relevant and related to or regarding said petition, including documents showing its receipt by the Association secretary, the validation and qualification of the signatures against the member roll, the removal of signatures from said petition (to include name, address, reason removed, date removed, manner or method by which removal was determined), notification to directors and members of the Association, and all communications between Defendant Comanco,

other Defendants, Plaintiff and any other person, group or organization, and the dates in which each step above was taken.

16. The petition calling for an August 21, 2008 special meeting to remove Plaintiff as a director of the Association; all documents relevant and related to or regarding said petition, including documents showing its receipt by the Association secretary, notification to directors and members of the Association, the validation and qualification of the signatures against the member roll, the removal of signatures from said petition (to include name, address, reason removed, date removed, manner or method by which removal was determined) and all communications between Defendant Comanco, other Defendants, Plaintiff and any other person, group or organization, and the dates in which each step above was taken.

POLICIES/PROCEDURES/MANUALS

17. Copies of any policy, procedure, manuals, outlines, directives, memorandum or other prepared material dealing with the following:

- a. Document retention
- b. Information technology
- c. Personnel qualification
- d. Compliance with Association governing laws
- e. Compliance with Maryland Condominium Act
- f. Investigation of allegation of criminal acts, fraud, misrepresentation, negligence, or other tortuous conduct or the proximate results thereof
- g. Personnel discipline/termination

- h. Assigned manager discipline/termination
 - i. Communication/Activity log creation and verification
 - j. Risk management
 - k. Financial management of Association monies, bank accounts
 - l. Bonding of Association officers with copies of all bank signature cards
 - m. Property walk-throughs and inspection
 - n. Condominium resale documents and any other pre-sale data required by law or policy
 - o. Architectural/landscaping requests and violations
 - p. Complaints by members of the Association regarding your services
18. All policies and procedure manuals, memoranda or directives, standard operating procedures, training manuals or materials or videos, property manager manuals, handbooks, presentations, employee manuals, handbooks or brochures and supplements and updates thereto used or prepared by or on behalf of Defendant.
19. All agenda and minutes of assigned manager department meetings, along with the agenda and sign in sheets.
20. All supervisory plan, manuals, requirements, qualifications.

EMPLOYEE QUALIFICATION AND TRAINING

21. All information for Defendant Angell regarding her employment history, qualifications, training, certificates, professional memberships for the past ten years.
22. Comanco's continuing education requirements for its managers, receptionists and all other personnel who handle client business.

23. Training, requirements, responsibilities and duties of receptionists and other Comanco employees whose job includes receiving, processing, managing, recording, data entering, archiving and any other activities related to the management of information, requests, mail and other homeowner-provided or requested information or requirements.
24. All training and operating materials related to employees or non-employee contractors, consultants or others who provide data entry for Comanco.

FINANCIALS

25. All income and expense statements for the Association, itemized and showing each dollar or cent of income and expense, including the person it was received from or paid to with itemized bills or statements and the dates of each occurrence, organized by year and by month within each year, and then alphabetically by name including account number and all other identifying information.

INSURANCE

26. The Association master insurance policy, to include all riders, amendments, additional policies and any other insurance policies maintained past or present by the Association.
27. List of all insurance claims by property address showing adjudication of the claim, amount paid by insurance and/or by the Association, a description of the casualty, whether it was covered, not covered, self-insured by the Association, if self-insured an explanation why the casualty was paid or not paid.

INFORMATION TECHNOLOGY

28. All documentation regarding Comanco's computer database and other computer software applications which are used, directly or indirectly, in the management, maintenance, records keeping and archiving for the Association, to include operational, maintenance and backup requirements and methodologies employed by Comanco in the course of using said software applications.

29. All architectural/landscaping requests, along with all data, dispositions, adjudications, appeals and any other such data pertinent to each such request, stored within your database(s) from April 1, 2000 through the present day. This information shall be organized per condominium unit address.

MISCELLANEOUS

30. All notes and diaries of property walk-throughs and inspections.

31. All notes and diaries of any and all conversations by or between you or any other director or officer of the Association, and the Association attorneys Earl Schaeffer and Michael S. Neall (except for lawfully privileged information regarding the above-captioned Complaint).

32. List of all inspections and walk-throughs to include for each inspection and walk-through all noted violations, violation and follow-up correspondence to homeowners and the resolution of each violation and the dates thereof.

33. List in chronological order showing each meeting of a governing body of the Association showing meeting date, time, place, attendees; if no meeting was held, an explanatory statement to that effect; if the records for such a meeting cannot be found, an

explanatory statement to that effect; if a meeting was cancelled, an explanatory statement to that effect; if a meeting was rescheduled, an explanatory statement to that effect that indicates the date the meeting was rescheduled to and whether it was actually held; if a meeting occurred for which no minutes were taken, an explanatory statement to that effect. All explanatory statements as described in this paragraph above shall include the who, what, when, where, how and why of the explanation.

34. List of all documents or information requested that cannot be found or provided along with an explanatory statement for each as to why said document or information cannot be found.

Respectfully Submitted,

Christopher McKeon, Plaintiff, *Pro Se*
1120 Soho Court, Crofton, MD 21114
410-271-7907

CERTIFICATE OF SERVICE

I, Christopher McKeon, Plaintiff, *Pro Se*, do hereby certify that a copy of the foregoing Request for Production of Documents has been served by First Class U.S. Mail, postage paid, this ____ day of _____, 200____, upon the following:

Comanco, Inc., and
Ruth Angell
c/o Thomas R. Callahan
Callahan & Callahan, P.C.
2133 Defense Hwy
Crofton, MD 21114

Charing Cross Townhouse Association,
Inc.
c/o Owen J. Curley
Niles, Barton & Wilmer, LLP
111 S. Calvert Street, Suite 1400
Baltimore, MD 21202

Joseph R. DeSantis
1001 Shire Court
Crofton, MD 21114

Kathleen Marek
1008 Broderick Court
Crofton, MD 21114

Carol Frankhouser
1005 Shire Court
Crofton, MD 21114

Michael J. Helpa
1007 Broderick Court
Crofton, MD 21114

Respectfully Submitted,

Christopher McKeon
Plaintiff, *Pro Se*
410-271-7907