

filed electronically in docket office on 11/21/17

G. Everett Sinor, Jr.
Attorney at Law

November 21, 2017

Ms. Sharla Dillon
Dockets and Records Manager
Tennessee Regulatory Authority
Andrew Jackson Building
502 Deaderick Street, Fourth Floor
Nashville, Tennessee 37243

RE: *Filing of Second Discovery Request by Petitioner to Intervenor, Renegade Mountain Community Club, in Docket No. 17-00098*

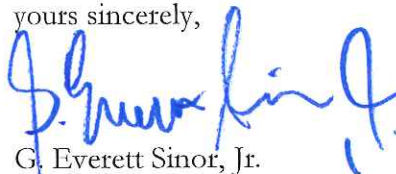
DELIVERY BY UNITED STATES FIRST CLASS MAILS AND ELECTRONIC MAIL

Dear Ms. Dillon:

Please find enclosed herewith an original and four (4) copies of the following, for filing in docket number 17-000098, Petitioner's Second Discovery Request to the Renegade Mountain Community Club.

Should you have any questions, please do not hesitate to contact me. Thanking you for your consideration of this matter, I remain,

yours sincerely,

A handwritten signature in blue ink, appearing to read "G. Everett Sinor, Jr.", is written over the typed name.

G. Everett Sinor, Jr.
Attorney at Law

Enclosure

ec: Aaron Conklin, Esq.
Scott D. Hall, Esq.
James L. Gass, Esq.
Vance Broemel, Esq. and Daniel P. Whitaker, Esq.
Roger York, Esq.
Gregory C. Logue, Esq. and Daniel J. Moore, Esq.

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION
AT NASHVILLE, TENNESSEE**

IN RE:

PETITION OF RECEIVERSHIP MANAGEMENT,
INC., SOLELY IN ITS CAPACITY AS RECEIVER
OF THE LAUREL HILLS WATER SYSTEM
IN RECEIVERSHIP FOR A PROVISIONAL
CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY

DOCKET NO.
17-00098

**SECOND REQUEST FOR DISCOVERY BY PETITIONER
TO THE RENEGADE MOUNTAIN COMMUNITY CLUB**

TO: Renegade Mountain Community Club
c/o Gregory C. Logue, Esq. and Daniel J. Moore, Esq.
Woolf, McClane, Bright, Allen & Carpenter
Post Office Box 900
Knoxville, Tennessee 37901

COMES NOW, the petitioner, Receivership Management, Inc., solely in its capacity as Receiver for the Laurel Hills Water System in Receivership [hereinafter the "Petitioner"], and serves the intervenor, Renegade Mountain Community Club [hereinafter the "RMCC"], with this discovery request pursuant to rules 26, 33, 34 and 36 of the Tennessee Rules of Civil Procedure, as well as Tenn. Comp. R. & Regs, tit. Tenn. Pub. Util. Comm'n, r. 1220-1-2-.11.

Full and complete responses as provided by the Tennessee Rules of Civil Procedure are requested. Responses should be produced to counsel for the Petitioner, at 3504 Robin Road, Nashville, Tennessee 37204, on or before the end of business on November 29, 2017, consistent with the hearing officer's Order Establishing Procedural Schedule.

These Interrogatories and Requests for Production of Documents are continuing in nature, and if, at any time after service of its responses the RMCC obtains additional information and/or documents responsive to any of them, the RMCC shall promptly serve supplemental answers setting forth such additional information and/or documentation.

INSTRUCTIONS

1. Unless otherwise specified or required by the context of the Interrogatory or Request for Production, the discovery requests set forth below seek information and documents from January 1, 2007 to the date of response.

2. If you contend that the timeframe covered by the particular Interrogatory or Request for Production is unreasonable, please so note and then respond with all responsive information and/or documentation for the timeframe you contend is reasonable.

3. If you claim as privileged or otherwise protected from discovery any information responsive to one or more of the following Interrogatories, describe the nature of the information, the identity of all of the persons of whom you are aware that know the information, the subject matter with which the information is concerned, each interrogatory to which the information is responsive, and the grounds, including the specific facts upon which you rely, for claiming the information is privileged or otherwise protected from discovery.

4. If you claim as privileged, or otherwise protected from discovery, any document responsive to one or more of the following Requests for Production, describe the nature of the document, the identity of all of the persons who made, received or has possession of the documents and all copies thereof, the subject matter with which the document is concerned, each Request to which the document is responsive, and the grounds upon which you rely in claiming the document is privileged or otherwise protected from discovery.

5. Each Interrogatory should be answered separately and fully in writing under oath in accordance with Rule 33 of the Tennessee Rules of Civil Procedure. To the extent that you do not have specific, complete, and accurate information with which to answer any Interrogatory, so state, answer the Interrogatory to the extent you are able, giving your best estimate or general description as to the matter inquired about for which you do not have specific, complete, and accurate information, state the basis for the estimate or general description, and identify each person whom you believe may have accurate information with respect thereto.

6. Documents produced in response to each Request for Production should be produced as they are kept in the usual course of business or shall be organized and labeled to correspond with the categories of each Request.

7. If you claim that you do not have custody or control over any document requested, identify by name, address, and telephone number each individual known to you who has possession of the original or copies of each such document.

8. Identify each person known to you maintaining possession, custody, or control of each document, which would have been responsive to each Request for Production, but which has been destroyed, discarded, or otherwise disposed of and identify the person destroying, discarding, or otherwise disposing of such documents, the time and place such disposition occurred, the person maintaining possession, custody, or control of such document during its existence, and the person ordering or authorizing the disposition of such document.

9. These Requests for Production call for production of all documents not only in your possession, but also in your control, including documents maintained or created by outside computer processing services, documents held or produced by any affiliated persons, employees, agents, and independent contractors engaged by you.

10. Whenever a document is not produced in full or is produced in redacted form, so indicate on the document and state with particularity the reason or reasons it is not being produced in full and describe to the best of your knowledge, information and belief, and with as much particularity as possible, those portions of the document which are not being produced.

DEFINITIONS

1. The terms "RMCC", "You," "Your" or words of similar import shall refer to Renegade Mountain Community Club, and any other name previously or presently used by it.

2. "Petition" refers to the Petition filed in the instant action.

3. "Person" means any natural person or any business, corporation, association, partnership, governmental entity or other legal entity.

4. "Relating to" shall mean constituting, pertaining to, in connection with, reflecting, respecting, regarding, concerning, referring to, based upon, stating, showing, evidencing, establishing, supporting, negating, contradicting, describing, recording, noting, embodying, memorializing, containing, mentioning, studying, analyzing, discussing, specifying, identifying, or in any manner logically, factually, indirectly or directly, or in any other way, connecting to the matter addressed in the interrogatory, in whole or in part.

5. The term "Identify" shall mean:

(A) when used in reference to an individual, to state his or her full name, present or last known address and telephone number, and full name and present and last known address of his or her employer or business;

(B) when used in reference to a corporation, partnership, company, or business, state its full name and present or last known address and telephone number and identify relevant contact persons at that entity;

(C) when used in reference to a document, to state the date, author, type of document (e.g., letter, memorandum, photograph, telegram, tape recording, e-mail transmission, etc.), the person or persons to whom it or copies of it were sent, and its present or last known location and custodian. If any such document was, but is no longer in your possession, custody or control, state when and how you disposed of it or lost possession of it;

(D) when used in reference to a conversation, contact or communication, to state the date of each separate conversation, contact or communication, the parties to each, the method or means of each (e.g., verbal, written, telephonic, electronic, etc.) and the nature of the occurrence of each conversation, contact or conversation (e.g., meeting, letter, voice message, e-mail, etc.); and

(E) when used in any context other than those specifically referred to in these definitions, means to provide such information as would enable a reasonably intelligent person to locate, describe, distinguish, understand, evaluate or analyze the subject matter inquired of.

6. The term "Document" as used herein, shall mean, without limitation, every writing or record of every type and description that is or has been in your possession, custody or control, or of which you have knowledge, including, but not limited to, correspondence, letters, drafts, electronic mail ("E-mail"), alphanumeric pager transmissions, telegrams, minutes, bulletins, computation sheets, specifications, instructions, advertisements, literature, patents, copyright certificates, work assignments, reports, memoranda, memoranda of conversations, notes, notebooks, diaries, data sheets, work sheets, agreements, contracts, memoranda of contract or agreements, assignments, licenses, corporate records, minute books, books of accounts, orders, invoices, packing slips, bills of lading, statements, bills, checks, check stubs, vouchers, photographs, drawings,

charts, catalogs, brochures, videotapes, photographs, books, magazines, papers, analyses, transcripts, tapes, x-rays, instructions, announcements, sound recordings and data processing discs, including, but not limited to floppy discs, read/write CD-Rom discs, or any other type of electronic storage media, and all other written, recorded or printed material of whatsoever kind known to or in the possession, custody or control of RMCC, including copies or reproductions of all of the foregoing items bearing marginal comments, alterations, or other notations not present on the original documents as originally written, typed or otherwise prepared. The term "Document" also includes any audio tape or video tape containing information requested.

7. The term "state" or "describe" shall mean to give a detailed written account of any and all facts, conditions, information, and/or evidence related to the subject of the interrogatory including identification of when and where matters inquired of occurred and who was present or involved in the matters inquired of.

8. The terms "communication" or "correspondence" shall include all discussions, conversations, meetings, conferences, telephone conversations, interviews, negotiations, agreements, understandings, cards, letters, correspondence, telegrams, telexes, or other forms of written or verbal interchange, however transmitted, including reports, notes, memoranda, written or verbal interchange, however transmitted, including reports, notes, memoranda, lists, agenda and other records of communication. The terms "communication" or "correspondence" include, but are not limited to, any transmittal or exchange of information by any means of transmission.

9. The term "and" and "or" have both conjunctive and disjunctive meanings.

10. The term "all" means "each and every" as well as "anyone."

11. The phrases "relates to," "related to" or "relating to" mean concerning, embodying, evidencing, memorializing, considering, mentioning, respecting, bearing upon,

referring to, addressing in whole or in part, or having any relationship to the subject matter at issue in the Interrogatory or the Request for Production.

INTERROGATORIES

Interrogatory No. 1: Please identify and provide complete contact information (to include at minimum telephone number, address and email address) for each person who is an expert witness and who RMCC expects to call at the hearing of this matter. With regard to each expert witness, please describe: (a) the subject matter about which the expert is expected to testify; (b) the substance of the facts and opinions as to which expert is expected to testify; (c) give a summary for the grounds of each such opinion; (d) please attach to your answers to these interrogatories a copy of each expert's curriculum vitae; and (e) please state the dates of any reports prepared by such experts and attach to your answers to these interrogatories a copy of any report prepared by each such expert who RMCC expects to call at the trial of this matter.

RESPONSE:

Interrogatory No. 2: Please identify and provide complete contact information (to include at minimum telephone number, address and email address) for each person associated with RMCC with personal knowledge of the facts related to the Laurel Hills Water System in Receivership, and please state, in detail, the facts of which you are aware that each identified person possesses.

RESPONSE:

Interrogatory No. 3: Please identify and provide complete contact information (to include at minimum telephone number, address and email address) for all persons who will provide evidence, in person, by affidavit, or otherwise, at the hearing on this matter.

RESPONSE:

REQUEST FOR PRODUCTION OF DOCUMENTS

Request for Production No. 1: Produce all Documents that will be introduced into evidence by the RMCC at the hearing on the Petition.

DATED: November 21, 2017.

Respectfully submitted,

Receivership Management, Inc., solely in its
Capacity as Receiver of the Laurel Hills
Water System in Receivership

By: 

Robert E. Moore, Jr. (BPR #013600)

Chief Operations Officer

Receivership Management Inc.

1101 Kermit Drive, Suite 735

Nashville, Tennessee 37217

615.370.0051 (Phone)

615.373.4336 (Facsimile)

rmoores@receiverngmt.com (Email)

Court Appointed Receiver for

Laurel Hills Water System


G. Everett Sinor, Jr. (BPR #017564)

Attorney at Law

Counsel for Receivership Management, Inc.

3504 Robin Road

Nashville, Tennessee 37204

615.969.9027 (Phone)

Everett.Sinor@gmail.com

Certificate of Service

The undersigned hereby certifies that a true and correct copy of the foregoing Second Request for Discovery by Petitioner to the Renegade Mountain Community Club has been served upon the parties hereto and the other persons listed below, at:

Aaron Conklin, Esq.
Staff Attorney
Tennessee Public Utility Commission
502 Deaderick Street, Fourth Floor
Nashville, Tennessee 37243

James L. Gass, Esq.
Ogle, Gass & Richardson
Counsel for Laurel Hills Condominiums
Property Owners Association
103 Bruce Street
Sevierville, Tennessee 37862

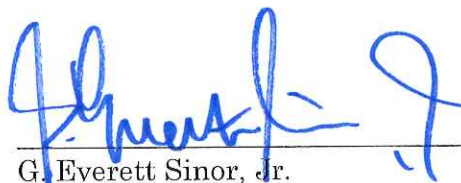
Scott D. Hall, Esq.
Counsel for Moy Toy, LLC
Counsel for Terra Mountain, LLC
374 Forks of the River Parkway
Sevierville, TN 37862

Vance Broemel, Esq.
Daniel P Whitaker, III, Esq.
Consumer Advocate and Protection Division
Tennessee Attorney General and Reporter
Post Office Box 20207
Nashville, Tennessee 37202

Gregory C. Logue, Esq.
Daniel J. Moore, Esq.
Wolf, McClane, Bright, Allen & Carpenter
Counsel for Renegade Mountain Community Club
Post Office Box 900
Knoxville, Tennessee 37901

Roger York, Esq.
York & Bilbrey
456 North Main Street, Suite 201
Crossville, Tennessee 38555

via the United States Mails, postage prepaid, and electronic mail, this 21st day of November, 2017.



G. Everett Sinor, Jr.