

**GOVERNMENT OF THE VIRGIN ISLANDS
DEPARTMENT OF LABOR
HEARINGS AND APPEALS UNIT**

MANUEL GONZALEZ,)	
Complainant,)	CASE NO. WD-061-12-STT
v.)	
)	
LSJ EMPLOYEES, LLC)	
Respondent.)	
_____)	

COMPLAINANT'S DISCOVERY REQUESTS

COMES NOW, Manuel Gonzalez by and through his undersigned counsel, Paiewonsky Law Firm, PLLC, and respectfully requests that Respondent or the actual employer of Complainant (hereinafter referred to as "LSJ") pursuant to the Department of Labor Rules and Regulations and the Hearing Officer's Oder produce the following discovery responses on or before October 5, 2012:

**I.
INSTRUCTIONS**

1. In answering these requests for production, LSJ should furnish all information available to it, including information in the possession of its attorneys and all persons acting in its behalf, and not merely such information known of its own personal knowledge.
2. If LSJ cannot produce what is being requested in full after exercising due diligence to secure the information requested, it should so state and answer to the extent possible, specifying the nature of its inability to answer the remainder, and providing whatever information or knowledge that it possesses concerning the unanswered portion and/or its whereabouts.
3. The requests for production which follow are to be considered as continuing, and LSJ is required to provide, by way of supplementary answers, such additional information or documents as it or any persons acting on its behalf may hereafter obtain, which will augment, clarify or otherwise modify the production now given to these requests for production. Such supplementary responses are to be served upon Complainant within 10 days after receipt of such information or documents.

II. Definitions

As used herein, the following terms shall have the meanings indicated below:

1. "Persons" means natural persons, corporations, limited liability companies, partnerships, sole proprietorships, subsidiaries, affiliated entities, associations, groups, government agency, quasi-government entity, commission, board, or agency, firm or other business enterprise, legal entity or federations or any other kind of entity.

2. "Company" or "entity" means any form of business whatever organized, including, without limitation, any corporation, limited liability company, subsidiary, affiliated entities, sole proprietorship, partnership (general or limited), joint venture, association, group, government agency, quasi-governmental entity, firm or other business enterprise or legal entity which is not a natural person, and means both the singular and plural.

3. "Document" means originals or any exact copies of written, recorded, transcribed, punched, filmed, taped, or graphic matter, however and by whomever prepared, produced, reproduced, disseminated or made, including, but not limited to, any memoranda, inter-office or intra-office communications, letters, studies, reports, summaries, articles, releases, notes, records or conversations, minutes, statements, comments, speeches, testimony, notebooks, drafts, data sheets, work sheets, records, corporate records, resolutions, certificates, statistics, charts, contracts, diaries, bills, accounts, graphics or oral records, representations of any kind (including without limitation, photographs, plats, charts, graphs, cards, computer or word processing disks, or other written, printed, typed, or recorded material in the possession, custody or control of the LSJ. The term "document" also means all copies or reproductions of all the foregoing items upon which notations in writing, print, or otherwise have been made that do not appear on the originals. To the extent the data processing cards, magnetic tapes, or other computer-related materials are produced, produce all programs, instructions, and other similarly related information necessary to read, comprehend or otherwise utilize said data processing cards, magnetic tapes, or other computer-related materials. If any document was, but is no longer in Defendant's possession or control, or is no longer in existence, state whether it is:

- (1) missing or lost;
- (2) destroyed;
- (3) transferred voluntarily or involuntarily to others, and if so, to whom; or
- (4) disposed of otherwise.

In each instance explain the circumstances surrounding any authorization for such disposition and state the approximate date thereof.

4. "Individual" or "person" means any natural person, including without limitation, an officer, director, manager, member, employee, agent, representative, distributor, supplier, independent contractor, licensee or franchisee, and it includes any corporation, limited liability company, subsidiary, affiliated entity, sole proprietorship, partnership, joint venture, group, government agency and agent, quasi-governmental entity firm or other business enterprise or legal entity, which is not a natural person, and means both the singular and the plural.

8. "The parties" as used herein shall be interpreted to refer to all parties to this wrongful discharge action.

9. "LSJ", "you" and/or "your" refer to the party answering the interrogatories, the agents, employees, predecessors, subsidiaries, affiliated entities, and parent entities and their respective representatives, servants or representatives and, unless privileged, the attorney both past and present.

10. The following rules of construction apply to all discovery requests:

- (a) All/Each. The terms "all" and "each" shall be construed as all and each.
- (b) And/Or. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
- (c) Number. The use of the singular form of any work includes the plural and vice versa.

III. REQUESTS FOR PRODUCTION OF DOCUMENTS

Please produce a copy of the following documents all documents which are within LSJ's possession, custody or control or within the possession, custody or control of LSJ; LSJ, LLC; Little St. James, LLC; Island Grounds, Inc.; Zorro Development Corp.; Jeffrey Epstein; Darren Indyke; Bryce Gordon; and/or Arron McGinnis which are described below:

- 1. All documents which constitute, or relate or pertain to notes, minutes or recordings of minutes or meetings or communications whether via e-mail, fax or any other documents that relates or pertains to the employment of Manuel Gonzalez from January 1, 2008 to the present.
- 2. All documents which constitute, or relate or pertain to notes, minutes or recordings of minutes or meetings or communications whether via e-mail, fax or any other documents of LSJ or the Company or any other employer of Manuel Gonzalez evidencing any changes or transfers of employment or employer of Manuel Gonzalez from January 1, 2008 to the present.

3. All documents showing the relationship between LSJ and any other Company which employed people on the island of Little St. James, United States Virgin Islands from January 1, 2008 to the present including but not limited to all documents regarding the formation of the Company, its ownership, officers, managers, directors, supervisors and their current status.
4. All documents showing the corporate structure of LSJ, its officers, managers, directors, supervisors and employees, parent companies, subsidiaries and affiliates and the authority of those individuals to make employment decisions for LSJ from January 1, 2008 to the present.
5. All documents showing the corporate structure of LSJ, LLC, its officers, managers, directors, supervisors and employees, parent companies, subsidiaries and affiliates and the authority of those individuals to make employment decisions for LSJ, LLC from January 1, 2008 to the present.
6. All documents setting forth the job description of the head or lead mechanic of LSJ or LSJ, LLC or Island Grounds, Inc., the supervisor's job description and all other mechanic positions as well as the job descriptions for the positions held by Manuel Gonzalez, Arron McGinnis and Bryce Gordon.
7. All documents setting forth the compensation for the supervisor of the mechanics and the individual mechanics of LSJ from January 1, 2011 to present, including but not limited to W-2's and payment records.
8. All documents whether signed or not sent to or from LSJ or its affiliates, or LSJ, LLC or Island Grounds, Inc. and Manuel Gonzalez from January 1, 2008 to present.
9. All documents which refer or relate to the employment of Manuel Gonzalez including any local or federal income tax or IRS forms pertaining to income or benefits from January 1, 2008 to the present.
10. All documents setting forth the positions, titles, authority, duties, or responsibilities of LSJ, LSJ, LLC and Island Grounds, Inc. with respect to mechanical work being done on Little St. James, US Virgin Islands from January 1, 2008 to present.
11. All correspondence or other documents, which constitute, relate or pertain to correspondence between LSJ or LSJ, LLC or Island Grounds, Inc. or anyone on their behalf, and Manuel Gonzalez concerning any changes in his employment or his employer from January 1, 2008 to present.

12. Any and all documents which support the claims asserted by LSJ that Manuel Gonzalez was a supervisor.

Dated: August 9, 2012



Anna Paiewonsky, Esquire
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Facsimile: [REDACTED]
e-mail: [REDACTED]
Counsel for
Manuel Gonzalez

ANSWERED BY: _____

Signature _____
Print Name _____
Title _____

Subscribed and sworn to before me this ____ day of _____, 2012.

Notary Public
Notary Commission No. _____
Commission Expires _____

Dated: _____

Christopher Allen Kroblin, Esquire
Kellerhals Ferguson LLP
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St. Thomas, VI 00802
Telephone: [REDACTED]
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CERTIFICATE OF SERVICE

I hereby certify that on this 9 day of August, 2012, I caused a true and correct copy of the foregoing Discovery Requests to be served upon the following counsel, via mail, postage prepaid and via e-mail.

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