

STATE OF INDIANA                    )     IN THE MONROE CIRCUIT COURT  
                                          )       
COUNTY OF MONROE                )     CAUSE NO. 53C06-2203-PL-000509

COUNTY RESIDENTS AGAINST ANNEXATION, INC.,  
an Indiana not for profit corporation,  
Representative of Those in the Territories Sought to be  
Annexed; DON CREEK, HARRY FERRIS,  
WILLIAM MANWARING, DAN DOYLE, CATHERINE  
DENSFORD, SCOTT S. LOMAN, ETHEL ANN SATTER,  
MARILYN J. DANIELSON, DEAN E. HOKE, BERT F.  
PHILLIPS, SUNNY SLATER, HOLLY HILL, DEBORAH  
REED for REED QUARRIES, INC., THOMAS W. McGHIE,  
RICKY FERGUSON, THOMAS E. OSBORN, JIMMIE JOHNSON,  
RICHARD PEACH, KAREN LAUCELLA, BARBARA  
LEININGER, CINDI LIVINGSTON, RHONDA GRAY,  
ARLLYS PAPKE, JOANNA HAHN; and OTHER TERRITORY  
1A AND 1B OWNERS OF LAND,  
                  Petitioners,

vs.

THE COMMON COUNCIL of the City of Bloomington,  
Monroe County, Indiana,  
CITY OF BLOOMINGTON, Monroe County, Indiana,  
JOHN HAMILTON in his official capacity as  
Mayor of Bloomington, Monroe County, Indiana, and  
CATHERINE SMITH in her official capacity as Auditor  
of Monroe County, Indiana,  
                  Respondents.



**ANSWERS OF DEBORAH REED  
TO CITY OF BLOOMINGTON'S  
FIRST SET OF REQUESTS FOR ADMISSIONS**

**COMES NOW** the Petitioner, Deborah Reed, and for her responses to the Requests for Admission propounded by the City of Bloomington, states as follows:

Pursuant to Indiana Trial Rule 36, the City of Bloomington (“Bloomington”), by counsel, requests that the each of the named Petitioners (individually and collectively, “Remonstrators”),<sup>1</sup>

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<sup>1</sup> For the avoidance of doubt, these discovery requests are served separately on the following: County Residents Against Annexation, Inc., Don Creek, Harry Ferris, William Manwaring, Dan Doyle, Catherine Densford, Scott S. Loman, Ethan Ann Slater, Marilyn J. Danielson, Dean E. Hoke, Bert F. Phillips, Sunny Slater, Holly Hill, Deborah Reed, Reed Quarries, Inc., Thomas

make the following Admissions for the purposes of this action within thirty (30) days after the receipt of this Request. These Requests for Admissions are considered to be continuing, and you are requested to provide, by way of supplementary responses and answers thereto, such additional Admissions or information as you or any other person acting on your behalf may hereafter obtain which will augment or otherwise modify the Responses first given. Such supplementary Responses are to be filed and served upon counsel for Bloomington within thirty (30) days after the receipt of such information.

Pursuant to Indiana Trial Rule 33, if your answer to any of the foregoing Requests for Admissions was anything other than an unqualified Admission, then you shall describe in detail the factual basis for your denial, qualified admission, objection, or other response, including the specific facts, documents, or evidence upon which you rely in making that denial, qualified admission, objection, or other response, identify specific statutory requirements (where applicable) that you contend were not met, identify all documents supporting your denial, qualified admission, or other response, and identify all witnesses you intend to call to testify in support of your denial, qualified admission, or other response.

### **DEFINITIONS**

Throughout these Discovery Requests, the following terms shall have the following meanings:

1. "Annexation Territory" shall mean the territory that is the subject of this annexation remonstrance, and as set forth in Ordinance Nos. 17-09 and 17-10, adopted by the City of Bloomington.

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McGhie, Ricky Ferguson, Thomas E. Osborn, Jimmie Johnson, Richard Peach, Karen Laucella, Barbara Leininger, Cindi Livingston, Rhonda Gray, Arlyls Parke, Joanna Hahn, and any individual or entity included in the designation "Other Territory 1A and 1B Owners of Land."

2. “Communications” means the exchange of information between two or more parties, regardless of the medium, including without limitation, telephone conversations, written correspondence of any kind, electronic mail, text messages, social media communications, voice mail communications, letters, facsimiles, billboards, flyers, signs, mailers, door hangers, advertisements, face to face discussions, and any other written or verbal conversations or discussions of any kind.

3. “Document(s)” shall be defined as that term is used in Ind. T.R. 34 and includes any and all responsive tangible material, in any form or medium, including, but not limited to, advertisements, editorials, photographs, maps, pamphlets, manuals, email, text message, voice mail, social media communications, and other electronically stored information. If copies of Documents are not identical for any reason, including handwritten notations, initials, or identifying marks, each non-identical copy is a separate Document within the meaning of this definition.

4. “Plan” or “fiscal plan” means the written fiscal plan, which was adopted by the City of Bloomington pursuant to Resolution Nos. 21-09 and 21-10.

### **REQUESTS FOR ADMISSIONS**

1. Admit that greater than one-fourth (1/4) of the aggregate external boundaries of each Annexation Territory coincides with the existing boundaries of Bloomington.

**ANSWER:** See response of County Residents Against Annexation, Inc. served on or about August 4, 2023.

2. Admit that Bloomington has developed and adopted a written fiscal plan and established a definite policy (the “Plan”) for each Annexation Territory by resolution as set forth in Indiana Code § 36-4-3-3.1.

**ANSWER:** See response of County Residents Against Annexation, Inc. served on or about August 4, 2023.

3. Admit that the Plan complies with Indiana Code § 36-4-3-13(d) for each Annexation Territory.

**ANSWER:** See response of County Residents Against Annexation, Inc. served on or about August 4, 2023.

4. Admit that Bloomington has complied with the outreach program requirements and notice requirements of Indiana Code § 36-4-3-1.7.

**ANSWER:** See response of County Residents Against Annexation, Inc. served on or about August 4, 2023.

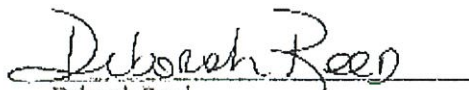
5. Admit that the annexation will not have a significant financial impact on You. For purposes of this request, “significant financial impact” has the meaning conveyed and intended by Indiana Code § 36-4-3-13(e)(2)(B).

**ANSWER:** See response of County Residents Against Annexation, Inc. served on or about August 4, 2023.

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**VERIFICATION**

I (WE) AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT THE FOREGOING ANSWERS ARE TRUE.

  
Deborah Reed

**CERTIFICATE OF SERVICE**

I certify that on 8/4, 2023, I electronically filed the foregoing document using the Indiana E-filing System (IEFS) and that the foregoing document was served upon all counsel of record via the same.

/s/ William J. Beggs  
William J. Beggs, #16644-49

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