

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

COUNTY RESIDENTS AGAINST ANNEXATION,)
INC., et al.,)
)
 Petitioners,)
)
 v.)
)
CITY OF BLOOMINGTON, INDIANA, et al.)
)
 Respondents.)

**DEPOSITION SUBPOENA AND
SUBPOENA DUCES TECUM**

To: Russell Nunn
1527 W. Leighton Ln.
Bloomington, IN 47403

Via Personal Service

YOU ARE HEREBY COMMANDED TO APPEAR and give sworn testimony at a deposition in this matter at **9:00 a.m. EDT on Thursday, September 8, 2022**, at Bloomington City Hall, 401 N. Morton Street, Room 225, Bloomington, Indiana 47404. The deposition will take place before an officer authorized to administer oaths who will stenographically record the proceedings.

YOU ARE HEREBY COMMANDED TO BRING with you to such deposition on said date and time the documents listed below.

Definitions

“You” or “Your” refers to Russell Nunn.

“Communications” means all forms of information transference written, oral or electronic, including without limitation meetings, conferences, conversations, discussions, proposals, solicitations, interviews, correspondence, messages, and notes, as well as memoranda



and records of Communications, including, but not limited to, text messages (SMS), emails, iMessages, voicemails, Facebook messages, social media internal messaging systems, and internal messaging programs.

Documents

1. Your complete file and Your documents in connection with this matter or annexation by the City of Bloomington.

2. All of your Facebook and Instagram posts between the periods of October 1, 2021 through January 10, 2022.

3. All emails or other Communications from August 1, 2022 through March 16, 2022 between or among You and any of the following persons:

- (i) Rhonda Gray
- (ii) Barbara Leininger
- (iii) Richard Peach
- (iv) Larry Skirvin
- (v) Thomas McGhie
- (vi) Joyce Martin
- (vii) Darlene Talbott
- (viii) Margaret Clements
- (ix) Rita Barrow
- (x) Catherine Smith

4. All written narratives or drafts of Your affidavit submitted in support of *Remonstrator's Motion for Summary Judgment* in this matter, and any of Your Communications relating to or concerning the affidavit.

5. All of Your emails or other Communications concerning your deposition or testimony in this matter.

6. All of Your documents and/or Communications regarding any meetings or gatherings relating to the remonstrance petitions or the City of Bloomington's proposed annexations.

WITNESS, the undersigned attorney of record, this 1st day of September, 2022.

/s/ Stephen C. Unger
Michael Rouker, Attorney No. 28422-53
Beth Cate, Attorney No. 21218-49
Larry Allen, Attorney No. 30505-53
Daniel Dixon, Attorney No. 30585-53
401 N. Morton Street
Bloomington, IN 47404
(812) 349-3426

Stephen C. Unger, Attorney No. 25844-49
Andrew M. McNeil, Attorney No. 19140-49
Bose McKinney & Evans LLP
111 Monument Circle, Suite 2700
Indianapolis, Indiana 46204
(317) 684-5000 (Phone)

*Attorneys for Respondent City of Bloomington,
Indiana, including also the Common Council and
Mayor of the City of Bloomington, Indiana in their
official capacities*

CERTIFICATE OF SERVICE

I hereby certify that on September 1, 2022, the foregoing document was served upon the following person(s) electronically via the Indiana E-Filing System (IEFS):

William Jonathan Beggs
wjbeggs@lawbr.com

Ryan Matthew Heeb
rheeb@lawbr.com

Michael Thomas Miller
mmiller@lawbr.com

Edward J. Cockerill
jcockerill@co.monroe.in.us

I further certify that on September 1, 2022 the foregoing document was served upon the following person(s), via personal service, addressed as follows:

Russell Nunn
1527 W. Leighton Ln.
Bloomington, IN 47403

/s/ Stephen C. Unger
Stephen C. Unger