

Bo Rainey

From: Denise James [DPJ@RRBLAWOK.COM]
Sent: Tuesday, August 18, 2009 4:33 PM
To: Bo Rainey
Cc: Marla Carter
Subject: Sisney v. ISD#3, et.al.
Attachments: Rule 26 Disclosures _federal case_081309.wpd

Counsel,

Attached please find a copy of the Plaintiff's Initial Disclosures in relation to the above-styled matter.

Thanks,
D. James

Denise P. James
Richardson Richardson Boudreaux
6450 South Lewis Avenue, Suite 300
Tulsa, Oklahoma 74136
Telephone: (918) 492-7674
Facsimile: (918) 493-1925

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10/5/2009

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

JIM SISNEY, an individual,)
)
Plaintiff,)
)
vs.)
)
INDEPENDENT SCHOOL DISTRICT)
NO. 3 OF TULSA COUNTY, a Political)
Subdivision; and the BROKEN ARROW)
SCHOOL BOARD,)
)
Defendants.)

Case Number: 09-CV-253-TCK-PJC

PLAINTIFF'S RULE 26 DISCLOSURES

COMES NOW the Plaintiff, Jim Sisney, by and through his Attorneys of record, Gary L. Richardson and Charles L. Richardson of Richardson Richardson Boudreaux, hereby provides the Defendants with the Initial Disclosures set forth below. If Plaintiff becomes aware of any additional information or documents that are subject to disclosure pursuant to Rule 26 (a) (1), it will supplement these disclosures to the extent required by the applicable rules.

(A) Known Potential Witnesses

Pursuant to Rule 26(a)(1)(A)(i), the following is a list of individuals likely to have discoverable information relevant to the disputed facts herein upon which the Defendants may rely:

1. Jim D. Sisney, Plaintiff
c/o Plaintiff's Counsel:
The Richardson Law Firm
6450 South Lewis Avenue, Suite 300
Tulsa, Oklahoma 74136

Subject Matter: It is anticipated that Plaintiff has information related to the incidents alleged in his Complaint and the facts which support the allegations in his Complaint.

2. Mike Rampey
Address information unknown at this time

Subject Matter: It is anticipated that this individual has information related to the incidents alleged Plaintiff's Complaint and the facts which support the allegations in Plaintiff's Complaint.

3. Sharon Whelpley
Address information unknown at this time

Subject Matter: It is anticipated that an individual or individual(s) associated with this PI firm has information related to the incidents alleged in Plaintiff's Complaint and the facts which support the allegations in Plaintiff's Complaint.

4. Maryanne Flippo
Address information unknown at this time

Subject Matter: It is anticipated that this individual has information related to the incident alleged in Plaintiff's Complaint and the facts which support the allegations in Plaintiff's Complaint.

5. Shari Wilkins
Address information unknown at this time

Subject Matter: It is anticipated that this individual has information related to the incident alleged in Plaintiff's Complaint and the facts which support the allegations in Plaintiff's Complaint.

6. Doug Mann
c/o ROSENSTEIN, FIST & RINGOLD
525 South Main, Suite 700
Tulsa, Oklahoma 74103

Subject Matter: It is anticipated that this individual has information related to the incident alleged in Plaintiff's Complaint and the facts which support the allegations in Plaintiff's Complaint.

7. Gary Gerber
Address information unknown at this time

Subject Matter: It is anticipated that this individual has information related to the incident alleged in Plaintiff's Complaint and the facts which support the allegations in Plaintiff's Complaint.

8. Bill Miller
614 Meadowood Drive
Broken Arrow, Oklahoma 74011

Subject Matter: It is anticipated that this individual has information related to the incident alleged in Plaintiff's Complaint and the facts which support the allegations in Plaintiff's Complaint.

9. Mark Bilby
1213 West Huntsville
Broken Arrow, Oklahoma 74011

Subject Matter: It is anticipated that this individual has information related to the incident alleged in Plaintiff's Complaint and the facts which support the allegations in Plaintiff's Complaint.

10. Trish Williams
Address information unknown at this time

Subject Matter: It is anticipated that this individual has information related to the incident alleged in Plaintiff's Complaint and the facts which support the allegations in Plaintiff's Complaint.

11. Linda Brown
Address information unknown at this time

Subject Matter: It is anticipated that this individual has information related to the incident alleged in Plaintiff's Complaint and the facts which support the allegations in Plaintiff's Complaint.

12. Ann Wade
Address information unknown at this time

Subject Matter: It is anticipated that this individual has information related to the incident alleged in Plaintiff's Complaint and the facts which support the allegations in Plaintiff's Complaint.

13. Jim Moburg
Address information unknown at this time

Subject Matter: It is anticipated that this individual has information related to the incident alleged in Plaintiff's Complaint and the facts which support the allegations in Plaintiff's Complaint.

14. Mike Ritz
c/o Defendants' Counsel
Collins Zorn & Wagoner
429 N.E. 50th Street, 2nd Floor
Oklahoma City, Oklahoma 73105

Subject Matter: It is anticipated that this individual has information related to the incident alleged in Plaintiff's Complaint and the facts which support the allegations in Plaintiff's Complaint.

15. Shari Logsdon
Address information unknown at this time

Subject Matter: It is anticipated that this individual has information related to the incident alleged in Plaintiff's Complaint and the facts which support the allegations in Plaintiff's Complaint.

16. Stephanie Updike
Address information unknown at this time

Subject Matter: It is anticipated that this individual has information related to the incident alleged in Plaintiff's Complaint and the facts which support the allegations in Plaintiff's Complaint.

17. Terry Stover
Address information unknown at this time

Subject Matter: It is anticipated that this individual has information related to the incident alleged in Plaintiff's Complaint and the facts which support the allegations in Plaintiff's Complaint.

18. Joyce Rich
Address information unknown at this time

Subject Matter: It is anticipated that this individual has information related to the incident alleged in Plaintiff's Complaint and the facts which support the allegations in Plaintiff's Complaint.

36. Witnesses that may be uncovered through process of discovery, not known at this time.
37. Witnesses necessary for rebuttal or impeachment.
38. All witnesses identified by Defendants.
39. Any expert witnesses, if necessary.
40. Rebuttal expert witnesses, if necessary.

(B) Known Documents

Pursuant to Rule **26(a)(1)(A)(ii)**, the following is a description by category and location, of all non-privileged documents, data compilations, and tangible things that are in the possession of Plaintiff that may be used in support of his Complaint should this matter not be dismissed pursuant to Fed.R.Civ.P. 12(b)(6):

1. All communications between Defendants and Plaintiff;
2. All recordings of conversations between Defendants and Plaintiff;
3. All relevant documents generated by Shari Wilkins;
4. All relevant documents generated by Maryanne Flippo;
5. All relevant documents generated by Douglas J. Hudkins;
6. All relevant documents generated by Mike Rampey;

7. All relevant documents produced by any party or non-party to this litigation;
8. Contract between Plaintiff and Defendants;
9. All exhibits to depositions;
10. All documents referred to in any deposition;
11. All exhibits endorsed by Defendant and not otherwise objected to by Plaintiff;
and
12. All deposition transcripts;
13. All relevant documents in the possession of Defendants, not yet produced;
14. All other documents and tangible things not yet identified, as discovery is still ongoing.

(C) Computation of Damages and Supporting Documents

Pursuant to Rule **26(a)(1)(A)(iii)**, Plaintiff is unable to calculate or provide Plaintiff's damages at this time.

(D) Insurance Agreements

Pursuant to Rule **26(a)(1)(A)(iv)**, Plaintiff is aware of three (3) National American Insurance Company insurance policies and/or agreements which Defendant retains, for coverage for the claims asserted by Plaintiff in this litigation.

Respectfully submitted,

/s/ Gary L. Richardson

Gary L. Richardson, OBA# 7547

Charles L. Richardson, OBA# 13388

RICHARDSON RICHARDSON BOUDREAUX

6450 S. Lewis, Suite 300

Tulsa, Oklahoma 74136

Tel: 918/492-7674

Fax: 918/493-1925

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 18th day of August, 2009, a true and correct copy of the foregoing instrument was properly transmitted to:

Kent B. Rainey
ROSENSTEIN, FIST & RINGOLD
525 South Main, Suite 700
Tulsa, Oklahoma 74103
Attorneys for Defendants

/s/ Gary L. Richardson
RICHARDSON RICHARDSON BOUDREAUX