



September 26, 2016

Henry W. Frampton, IV, Esquire  
McNair Law Firm, P.A.  
Post Office Box 1431  
Charleston, SC 29402

RE: *Robert T. Dillon, Jr., PhD. vs. The College of Charleston and Brian McGee,  
in his individual capacity*  
Case No.: 2016-CP-10-3774  
Our File No.: 2016-00105

Dear Hal,

Enclosed please find Plaintiff's First Set of Interrogatories and First Set of Requests to Produce regarding the above-referenced matter.

With kindest regards, I am

Sincerely,

Nancy Bloodgood

NB/alk  
Enclosures

cc: Robert Dillon, *via email*

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF CHARLESTON	)	FOR THE NINTH JUDICIAL CIRCUIT
	)	
Robert T. Dillon, Jr., PhD.,	)	Case No.: 2016-CP-10-3774
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
The College of Charleston and Brian	)	
McGee, in his individual capacity,	)	
	)	
Defendants.	)	
	)	

**PLAINTIFF'S FIRST SET OF  
INTERROGATORIES**

**TO: HAL FRAMPTON, ESQUIRE, ATTORNEY FOR THE DEFENDANTS:**

The Plaintiff hereby requires the Defendants, within thirty (30) days after service hereof, to answer the Interrogatories hereinafter set forth, in accordance with the South Carolina Rules of Civil Procedure, Rule 33. In these Interrogatories, the term "party" is used to designate these Defendants. These Interrogatories shall be deemed to continue until the time of the trial.

INSTRUCTIONS

A. Every Interrogatory herein shall be deemed a continuing Interrogatory, and you are to supplement your answers promptly, if and when you obtain relevant information in addition to, or in any way inconsistent with your initial answer to any such Interrogatory, in accordance with the Rule 33 of the South Carolina Rules of Civil Procedure.

B. Should privilege be claimed as to any information requested herein, the answer must, in each instance, state specifically the information sought, the privilege claimed, and the ground on which the claim or privilege is based. Should the Defendants be unable, for reasons other than privilege, to provide the information requested, the answer must, in each instance indicate

specifically the information sought, the reason such information is presently unavailable, and an estimate of the time within which the information will be presented to the undersigned.

C. If you object to any portion of an Interrogatory on the ground it seeks privileged information, identify all persons to whom such information has been disclosed, the nature of the privilege asserted, and the dates of any communications for which privilege is asserted.

D. If you object to an Interrogatory on the ground that it is too broad, provide such information which is concededly relevant and available.

E. If you object to an Interrogatory on the ground that to provide an answer would constitute an undue burden, provide such requested information as can be supplied without undertaking any undue burden. For those portions of any Interrogatory to which you object or otherwise decline to answer, state the reasons for such objections, declination, or burden.

F. When the Interrogatory asks for any "representations," or "statements," the answer should contain the following:

1. The speaker or originator of the statement or representation.
2. The recipient of the statement or representation.
3. All documents which evidence the statement or representation.
4. The time, date and location of the statement or representation.
5. If the statement or representation was not made to the Defendants, then describe with particularity how the Defendants discovered the representation or statement.

#### DEFINITIONS

A. As used in this request, the term "document" means any handwritten, typewritten, printed, recorded, or graphic matter, including all copies of the above, however produced or reproduced, in the possession, custody, or control of Defendants or counsel and whether or not

claimed to be privileged, including, but not limited to, correspondence, e-mails, electronic correspondence and documents, reports, meeting minutes, memoranda, notes, schedules, photographs, ledgers, requisitions, journals, books of account, contracts, drawings, blueprints, checks and diaries. The term "all documents" means every document as above defined known to Defendants, Defendants' agents or counsel, and each document which can be located or discovery by reasonably diligent efforts.

B. "Identify" or "identity" when used in reference to natural persons means to give the person's: (i) full name; (ii) present or last known address and telephone number; (iii) present or last known place of employment; (iv) present or least known job title; and (v) relationship, if any, to the plaintiff or Defendants. Once a person has been identified in accordance with this subparagraph, only the name of that person be listed in response to subsequent discovery requesting the identification of that person.

C. "Identify" or "identity" when used in reference to documents means to give, to the extent known: (i) the type of document; (ii) the general subject matter of the document; (iii) the date of the document; (iv) the author(s), according to the document; and (v) the person(s) to whom, according to the document, the document (or a copy) was to have been sent; or alternatively, to produce the document.

D. "Describe" or "description", if used in reference to a person, means to identify each individual person and, when used in reference to a document, means to state the following as to each document:

1. Nature and contents.
2. Date.
3. Name, present address, and position of the author or signer.

4. The name, address, and position of the addressee, if any.
  5. The present location, name, and present address and position of person or persons having custody.
- E. "Concerning" when used means referring to, describing, evidencing or constituting.
- F. "Communication" means any oral or written exchange of words, thoughts or ideas with another person(s), whether person to person, in a group, in a meeting, by telephone, letter, telefax, electronic mail, or otherwise, including without limitation any printed, typed, handwritten or other readable document and any tape recording, correspondence, memorandum, report, contract, diary, logbook, minutes, note, study, survey, and forecast.

#### INTERROGATORIES

1. Give the names and addresses of persons known to the party or counsel to be witnesses concerning the facts of the case and indicate whether or not written or recorded statements have been taken from the witnesses and indicate who has possession of such statements.
2. For each person known to Defendants or Defendants' Counsel to be a witness concerning the facts of the case, set forth either a summary sufficient to inform the Plaintiff of the important facts known to or observed by such witness, or provide a copy of any written or recorded statements taken from such witness.
3. Set forth a list of photographs, plats, sketches, or other prepared documents in possession of the party that relate to the claim in the case; and if you will supply it without the necessity of a Motion, please attach a copy to your answers.
4. List the name(s) and address(es) of any expert witnesses whom the party proposes to use as witnesses at the trial of the case.

5. State the factual basis for each of Defendants' the affirmative defenses, the name(s) of the witness(es) who will testify as to each affirmative defense, and list the written documents that support each affirmative defense.

6. Identify the Plaintiff's supervisor(s) and/or manager(s).

7. Identify all of the person(s) presently known to the Defendants who were involved in making employment decisions regarding Plaintiff.

BLOODGOOD & SANDERS, LLC

*Nancy Bloodgood*

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[lsanders@bloodgoodsanders.com](mailto:lsanders@bloodgoodsanders.com)

*Attorneys for Plaintiff*

Charleston, South Carolina

Date: 9-26-16

CERTIFICATE OF MAILING

I hereby certify that a copy of the foregoing pleading was mailed to all counsel of record in this proceeding this 26 day of September 2016.

*Manda Kramer*

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF CHARLESTON	)	FOR THE NINTH JUDICIAL CIRCUIT
	)	
Robert T. Dillon, Jr., PhD.,	)	Case No.: 2016-CP-10-3774
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Plaintiff,	)	
	)	
vs.	)	
	)	
The College of Charleston and Brian	)	<b>PLAINTIFF'S FIRST SET OF</b>
McGee, in his individual capacity,	)	<b>REQUESTS TO PRODUCE</b>
	)	
Defendants.	)	
	)	

**TO: HAL FRAMPTON, ESQUIRE, ATTORNEY FOR THE DEFENDANTS:**

YOU WILL PLEASE TAKE NOTICE the Plaintiff hereby requests, pursuant to Rule 34 of the South Carolina Rules of Civil Procedure, that the Defendants respond, within thirty (30) days after the service hereof, to the following Requests, and that the Defendants produce and permit the Plaintiff to inspect, copy, or photograph, at the offices of Plaintiff's attorneys at 895 Island Park Drive, Suite 202, Charleston, SC 29492, each of the following documents or things which may be in the possession, custody, or control of the Defendants or Defendants' attorneys which constitutes or contains evidence relating to the claim or defense of the within cause:

DEFINITIONS

A. As used in this request, the term "document" means any handwritten, typewritten, printed, recorded, or graphic matter, including all copies of the above, however produced or reproduced, in the possession, custody, or control of Defendants or counsel and whether or not claimed to be privileged, including, but not limited to, correspondence, e-mails, electronic correspondence and documents, reports, meeting minutes, memoranda, notes, schedules, photographs, ledgers, requisitions, journals, books of account, contracts, drawings, blueprints,

checks and diaries. The term "all documents" means every document as above defined known to Defendants, Defendants' agents or counsel, and each document which can be located or discovered by reasonably diligent efforts.

B. "Identify" or "identity" when used in reference to natural persons means to give the person's: (i) full name; (ii) present or last known address and telephone number; (iii) present or last known place of employment; (iv) present or least known job title; and (v) relationship, if any, to the plaintiff or Defendants. Once a person has been identified in accordance with this subparagraph, only the name of that person be listed in response to subsequent discovery requesting the identification of that person.

C. "Identify" or "identity" when used in reference to documents means to give, to the extent known: (i) the type of document; (ii) the general subject matter of the document; (iii) the date of the document; (iv) the author(s), according to the document; and (v) the person(s) to whom, according to the document, the document (or a copy) was to have been sent; or alternatively, to produce the document.

D. "Describe" or "description", if used in reference to a person, means to identify each individual person and, when used in reference to a document, means to state the following as to each document:

1. Nature and contents.
2. Date.
3. Name, present address, and position of the author or signer.
4. The name, address, and position of the addressee, if any.
5. The present location, name, and present address and position of person or persons having custody.



E. "Concerning" when used means referring to, describing, evidencing or constituting.

F. "Communication" means any oral or written exchange of words, thoughts or ideas with another person(s), whether person to person, in a group, in a meeting, by telephone, letter, telefax, electronic mail, or otherwise, including without limitation any printed, typed, handwritten or other readable document and any tape recording, correspondence, memorandum, report, contract, diary, logbook, minutes, note, study, survey, and forecast.

#### DOCUMENTS REQUESTED

1. Copies of any and all statements given by either eyewitness(es) or other witness(es) to the incidents and matters at issue herein, which are in the possession of the Defendants or the Defendants' Counsel, whether written or recorded, or on a tape recorder or otherwise.

2. Copies of any and all of Defendants' handbooks, employment policies and written employment procedures.

3. Copies of any and all statements, memoranda, documents, or other materials which in any other way might relate to the Plaintiff's claims or Defendants' affirmative defenses which are within the possession of the Defendants, whether written or recorded or on a tape recorder or otherwise.

4. To permit the Plaintiff to inspect, to photograph or otherwise copy any and all charts, diagrams, enlarged exhibits, etc., which the Defendants or Defendants' counsel may have which relate to the matters alleged herein.

5. Any and all reports prepared by any witnesses concerning this litigation and specifically any expert witness' reports.

6. Any and all documents listed in Defendants' Answers to Interrogatories.

7. All written or electronic communications concerning the factual allegations or claims at issue in this lawsuit among or between 1) Williams Jacob Hillenius, 2) Michael J. Auerbach, 3) Brian McGee, 4) Glenn McConnell, 5) Doug Ferguson, 6) B. Lee Lindner, and 7) Beth Lloyd.

8. Documents concerning the termination of the employment relationship at issue in this lawsuit, irrespective of the relevant time period.

9. The Plaintiff's personnel file, in any form, maintained by the Defendants, including files concerning the Plaintiff maintained by the Plaintiff's supervisor(s), manager(s), or the Defendants' human resources representative(s), irrespective of the relevant time period.

10. The Plaintiff's performance evaluations and formal discipline.

11. Any and all documents relied upon to make the employment decision(s) at issue in this lawsuit.

12. Defendants' workplace policies or guidelines relevant to the adverse action in effect at the time of the adverse action, including policies or guidelines that address: 1) discipline; 2) misconduct; 3) retaliation; 4) syllabi; 5) learning outcomes; 6) course objectives; and 7) The Southern Association of Colleges and Schools, Commission on Colleges' standards.

13. Job description(s) for the position(s) that the Plaintiff held.

14. Documents showing Plaintiff's compensation and benefits such as retirement plan benefits, fringe benefits, employee benefit summary plan descriptions, and summaries of compensation.

15. Agreements, if any, between the Plaintiff and the Defendants to waive jury trial rights or to arbitrate disputes.

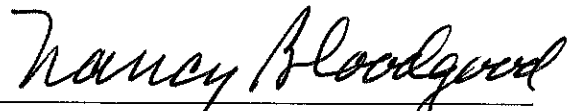
16. Documents concerning investigation(s) of any complaint(s) about the Plaintiff or

made by the Plaintiff, if relevant to the Plaintiff's factual allegations or claims at issue in this lawsuit and not otherwise privileged.

17. Any other document(s) upon which the Defendants relies to support the defenses, affirmative defense, and counterclaims, including any other document(s) describing the reasons for the adverse action.

18. The syllabi of all professors and instructors in the School of Science and Math for years 2015-2016.

BLOODGOOD & SANDERS, LLC



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[lsanders@bloodgoodsanders.com](mailto:lsanders@bloodgoodsanders.com)

*Attorneys for Plaintiff*

Charleston, South Carolina

Date: 9-26-16

CERTIFICATE OF MAILING

I hereby certify that a copy of the foregoing pleading was mailed to all counsel of record in this proceeding this 26 day of September, 2016.

