

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT IN
AND FOR BREVARD COUNTY, FLORIDA

CASE NO. 05-2013-CA-33457-XXXX-XX

SCOTT ELLIS, in his official capacity as
Brevard County Clerk of the Circuit Court,

Plaintiff,

vs.

BLUEGEM, LLC, a Florida limited liability
company,

Defendant.

BLUEGEM, LLC, a Florida limited liability
company,

Counter-Plaintiff,

vs.

SCOTT ELLIS, in his official capacity as
Brevard County Clerk of the Circuit Court.

Counter-Defendant.

NOTICE OF TAKING DEPOSITION DUCES TECUM OF NON-PARTY

PLEASE TAKE NOTICE that the attorney for the Plaintiff will take the following
depositions:

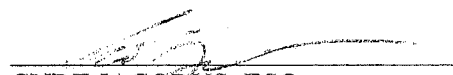
<u>Name and Address</u>	<u>Date and Time</u>	<u>Location</u>
Custodian of Public Records for the Office of the State Attorney, 18 th Judicial Circuit 2725 Judge Fran Jamieson Way Building D Viera, FL 32940	November 5, 2013 at 10:00 a.m.	Gray Robinson, P.A. 1795 W. NASA Blvd. Melbourne, FL 32901 (321) 727-8100

upon oral examination before an officer authorized to take depositions in the State of Florida. This oral examination will continue from day to day until completed. This deposition is being taken for the purpose of discovery, for use at trial or for such other purposes as are permitted under the applicable and governing rules of Court. The deponent is to bring with him/her all items listed on attached **Schedule A**.

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished via E-Service on this ___ day of October, 2013 to: Thomas Cargill, Esq.; Michael Gay, Esq., Foley & Lardner LLP, 111 North Orange Ave., Suite 1800, Orlando, FL 32801-2386 at mgay@foley.com; TCargill@foley.com; and SLBradley@foley.com.

GRAYROBINSON, P.A.
Attorneys for Plaintiff,


CURT JACOBUS, ESQ.
Florida Bar No. 729493
ALEC D. RUSSELL, ESQ.
Florida Bar No. 0248134
1795 W. NASA Blvd.
Melbourne, FL 32901
Tel.: (321) 727-8100
Fax: (321) 984-4122
Primary Email: curt.jacobus@gray-robinson.com
Secondary Emails: alec.russell@gray-robinson.com
tonimarie.dalessandro@gray-robinson.com

cc: King Reporting

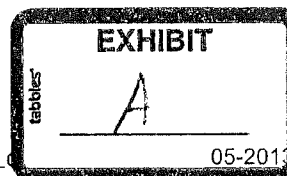


EI-14-0118



Investigative Reports
As of 07/10/2013

Investigative Report No.	Author Name	Description
1	Mark Mitchell	Opening Investigative Report / Matt Nye Interview
2	Mark Mitchell	Meeting with Mitch Needleman
3	Mark Mitchell	Mike McDaniel Interview
4	Mark Mitchell	Nick Geaney Interview
5	Callie Rhoads	Copy of Subpoena to SunTrust Bank.
6	Mark Mitchell	Mike McDaniel Interview
7	Mark Mitchell	Linda Puckett Interview
8	Mark Mitchell	Lisa Rice Interview
9	Callie Rhoads	Copy of Subpoena to Firstbank in Mt. Pleasant, Michigan.
10	Mark Mitchell	Mark LaRusso Interview
11	Mark Mitchell	Mary Bolin Lewis Interview
12	Mark Mitchell	Meeting with Rose Harr
13	Callie Rhoads	Subpoenaed documents from SunTrust Bank reference Subpoena No. 12-888.
14	Mark Mitchell	Rose Harr Interview
15	Mark Mitchell	Nick Geaney telephone call
16	Mark Mitchell	Brevard Clerk of Courts Public Records Request
17	Callie Rhoads	Brevard County Supervisor of Elections information.
18	Callie Rhoads	Letter from Citizens Bank reference subpoena no. 12-1019.
19	Callie Rhoads	Subpoenaed Documents from FirstBank reference subpoena No. 12-961 and 12-1017.
20	Mark Mitchell	Carol Brancato Interview
21	Mark Mitchell	Robert Baldwin interview
22	Callie Rhoads	Subpoenaed documents from Wells Fargo Bank reference Subpoena No. 12-1018.
23	Callie Rhoads	Subpoenaed documents from PNC Bank reference Subpoena No. 12-1085.
24	Callie Rhoads	Copy of Subpoena to BlueGem, LLC.
25	Callie Rhoads	Subpoenaed documents from Bank of America reference Subpoena No. 12-1086.
26	Callie Rhoads	Subpoenaed documents from FirstBank reference Subpoena No. 12-1112.
27	Callie Rhoads	Subpoenaed documents from Citizens Bank reference Subpoena No. 12-1111.
28	Mark Mitchell	Brevard Clerk of Courts Public Records Request response
29	Callie Rhoads	Subpoenaed documents from FirstBank reference Subpoena No. 12-1300.
30	Callie Rhoads	Subpoenaed documents from Wells Fargo Bank reference Subpoena No. 12-1301.
31	Mark Mitchell	Matt Dupree Interview





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Investigative Reports
As of 07/10/2013

32	Mark Mitchell	Email correspondence from Law Office of Mark Horwitz regarding Blueware payments to Matt Dupree
33	Callie Rhoads	Subpoenaed documents from Fifth Third Bank reference Subpoena No. 12-1282.
34	Callie Rhoads	Subpoenaed documents from JP Morgan Chase Bank reference Subpoena No. 12-1040 and 12-1283.
35	Callie Rhoads	Correspondence from Wells Fargo Bank reference Subpoena No. 12-1018.
36	Mark Mitchell	FNTI / David Doty Interview
37	Mark Mitchell	Tim Nemethy / AmCad
38	Dan Augustyniak	Voice mail of Rose Harr needing IBM money.
39	Callie Rhoads	Information obtained from TightLine Productions.
40	Callie Rhoads	Information obtained from Spectrum Marketing.
41	Jason Kriegsman	Subpoena served at Spacecoast EDC
42	Dan Augustyniak	Meeting at the Brevard County Clerk of Courts Office and with BCCC employees.
43	Dan Augustyniak	Interview with BCCC Michael Salvatore, Finance Director.
44	Dan Augustyniak	Interview with Debbie Puckett, Project MGR BCCC.
45	Dan Augustyniak	Interview with Cindy Rabe, BCCC IT Director.
46	Dan Augustyniak	Interview with Laurie Rice, BCCC Chief Deputy.
47	Callie Rhoads	Subpoenaed documents from Bank of America reference Subpoena No. 12-1214.
48	Dan Augustyniak	Compact disc of emails for McDaniel, Cook, and Campbell.
49	Callie Rhoads	Subpoenaed documents from Capital One Bank reference subpoena No. 13-189.
50	Callie Rhoads	Subpoenaed documents from Capital One Auto Finance reference Subpoena No. 13-190.
51	Callie Rhoads	Subpoenaed documents from AT&T Mobility reference (321) 243-7752 and (321) 431-4568.
52	Dan Augustyniak	Receiving documents from the EDC Florida's Space Coast.
53	Dan Augustyniak	Items delivered by Tyler Winik to FDLE.
54	Callie Rhoads	Vehicle Body File from DHSMV on VIN: 2C3CDYCJ6CH221952.
55	Callie Rhoads	Subpoenaed documents from PNC Bank reference For the Kids of Brevard, Subpoena No. 13-268.
56	Dan Augustyniak	Interview with Sean Campbell.
57	Callie Rhoads	Subpoenaed documents from Regions Bank reference Sloane Mackenzie Public Affairs, LLC.
58	Callie Rhoads	Subpoenaed documents from Fifth Third Bank reference subpoena No. 13-296.
59	Dan Augustyniak	Disc of emails from Sean Campbell
60	Dan Augustyniak	Emails containing the sample ITN and scanning proposal.
61	Dan Augustyniak	Email from Clear Channel Communications, Inc.
62	Mark Mitchell	Deena Brigham Interview



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Investigative Reports
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63	Callie Rhoads	Information obtained from eWareness, Inc.
64	Callie Rhoads	Subpoenaed documents from SunTrust Bank reference subpoena No. 13-267.
65	Callie Rhoads	Subpoenaed documents from Bank of America reference subpoena No. 13-297.
66	Callie Rhoads	Subpoenaed documents from JP Morgan Chase Bank reference subpoena No. 13-299.
67	Callie Rhoads	Subpoenaed documents from Regions Bank reference subpoena No. 13-295.
68	Callie Rhoads	Subpoenaed documents from GE Capital Retail Bank reference subpoena No. 13-331.
69	Callie Rhoads	Subpoenaed documents from FIA Card Services reference Needelman's Bank of America Credit Card's ending in [REDACTED] and [REDACTED].
70	Dan Augustyniak	Copies of depositions taken of Geaney and Rose in civil suit.
71	Dan Augustyniak	Interview of Nicholas Geaney at State Attorneys Office.
72	Dan Augustyniak	Interview with Brian K. St.Ours of E Awareness.
73	Dan Augustyniak	Information of the Department of Financial Services.
74	Callie Rhoads	Information obtained from E One Marketing.
75	Callie Rhoads	Subpoenaed documents reference Eligere Strategies Bank of America Account ending in [REDACTED].
76	Dan Augustyniak	Travel information in Melbourne, FL from Nick and Kelly Geaney.
77	Callie Rhoads	Subpoenaed documents reference Matt Dupree's Bank of America bank accounts (subpoena No. 13-194 & 13-298).
78	Dan Augustyniak	Telephone interview with Travis Gibb, former Ewareness employee.
79	Callie Rhoads	Subpoenaed documents from Discover Card reference Joan Needelman's account (No. 13-332).
80	Callie Rhoads	Subpoenaed documents from Wells Fargo reference Jason Steele (No. 13-416).
81	Callie Rhoads	Subpoenaed documents from Bank of America reference Jason Steele's Campaign Acct.(No. 13-415).
82	Callie Rhoads	Subpoenaed documents from JPMorgan Chase Bank reference Blue Gem (13-485).
83	Callie Rhoads	Subpoenaed documents from JPMorgan Chase Bank reference Needelman's Amazon CC.
84	Callie Rhoads	Subpoenaed documents from SunTrust Bank reference BCCC (No. 13-294).
85	Callie Rhoads	Subpoenaed documents from Regions Bank reference BlueGem (No. 13-484).
86	Dan Augustyniak	Interview with Matt Raab.
87	Dan Augustyniak	Interview with David Eggl.
88	Dan Augustyniak	Documents obtained from Nicholas Geaney
89	Callie Rhoads	Agency for Workforce Innovation - McGrory.
90	Dan Augustyniak	Interview with Renee McGrory.

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91	Dan Augustyniak	Interview with Garrett Pomichter.
92	Dan Augustyniak	Information from BCSO regarding harassment and embezzlement allegations.



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Investigative Reports
As of 08/27/2013

Investigative Report No.	Author Name	Description
93	Callie Rhoads	Letter from Bank of America, Card Services reference subpoena No. 13-733.
94	Callie Rhoads	Subpoenaed documents from Wells Fargo Bank reference Needelman's HELOC (Subpoena No. 13-679).
95	Callie Rhoads	Subpoenaed documents from USBank reference Needelman's acct. (No. 13-710)
96	Dan Augustyniak	FNTI scanning proposal, ITN response.
97	Dan Augustyniak	FDLE exhibit 1.2, Forensic Image of Geaney's hard drive.
98	Mark Mitchell	October 3, 2012 Meeting between McDaniel and Needelman
99	Dan Augustyniak	Documents from IAMSCO ZIP MAIL.
100	Dan Augustyniak	Hard drives from the Brevard County Clerk of Courts.
101	Callie Rhoads	Information obtained from AMCAD reference BID No. 20910820.
102	Dan Augustyniak	Videos of debates between Needelman and Ellis.
103	Dan Augustyniak	The selection and rating scores for FNTI, AMCAD, and BlueGem.
104	Sara Carey	Analytical Assistance
105	Dan Augustyniak	Arrest of Mitchell Aaron Needelman.
106	Jon Faltgen	Arrest of William Matthew Dupree
107	Callie Rhoads	Vehicle Body File from DHSMV reference VIN: 0F92M507516.
108	Dan Augustyniak	Rose Harr turning herself into the Seminole County Jail.
109	Callie Rhoads	Subpoenaed documents from PayPal/eBay reference subpoena No. 13-607.
110	Dan Augustyniak	Arrest and second interview of William Dupree.
111	Dan Augustyniak	Lawsuit filed by the Clerks Office against BlueGem.
112	Dan Augustyniak	Lawsuit filed by the Clerks Office against RoseWare.
113	Callie Rhoads	Preliminary financial bank account analysis.



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Related Items
As of 07/10/2013

Related Item No.	Description
1	BlueGem and Source2 Contracts
2	Copy of Subpoena to SunTrust Bank.
3	Property Receipt and Consent to Search Form
4	Compact disc with recording of Geaney statement
5	McDaniel consent form and emails
6	Compact disc recording of McDaniel statement
7	Puckett Emails
8	Compact Disc recording of Puckett Interview
9	Copy of Subpoena to Firstbank.
10	Compact disc recording of Rice statement
11	Subpoenaed documents from SunTrust Bank reference Subpoena No. 12-888.
12	Detailed analysis of subpoenaed documents from SunTrust Bank reference Subpoena No. 12-888.
13	BCCC Public Records Request
14	Needelman's DSDE 9 and Form 6 Forms.
15	Copy of Subpoena to Citizens Bank and return letter.
16	Copy of subpoena No. 12-1017 and a copy of all documents received from FirstBank reference BlueWare's bank account.
17	Detailed analysis of the subpoenaed documents from FirstBank reference BlueWare's bank account.
18	Copy of subpoena and subpoenaed documents from Wells Fargo Bank reference Subpoena No. 12-1018.
19	Detailed analysis of subpoenaed documents from Wells Fargo Bank reference Subpoena No. 12-1018.
20	Subpoenaed documents from PNC Bank reference Subpoena No. 12-1085.
21	Detailed analysis of subpoenaed documents from PNC Bank reference Subpoena No. 12-1085.
22	Copy of Subpoena to BlueGem, LLC.
23	Copy of email to Inspector Mitchell from Attorney Susan Smith.
24	Copies of subpoenaed documents from Bank of America reference Subpoena No. 12-1086.
25	Detailed analysis of subpoenaed documents from Bank of America reference Subpoena No. 12-1086.
26	Subpoenaed documents from FirstBank reference Subpoena No. 12-1112.
27	Detailed analysis of subpoenaed documents from FirstBank reference Subpoena No. 12-1112.
28	Compact disc recording of Baldwin Statement
29	Subpoenaed documents from Citizens Bank reference Subpoena No. 12-1111.
30	Detailed analysis of subpoenaed documents from Citizens Bank.
31	BCCC public records request response
32	Subpoenaed documents from FirstBank reference Subpoena No. 12-1300.

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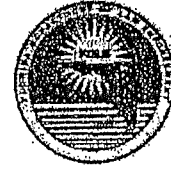
Related Items
As of 07/10/2013

33	Detailed analysis of subpoenaed documents from FirstBank reference Subpoena No. 12-1300.
34	Subpoenaed documents from Wells Fargo Bank reference Subpoena No. 12-1301.
35	Detailed analysis of subpoenaed documents from Wells Fargo reference Subpoena No. 12-1301.
36	Compact disc recording of Dupree statement
37	Subpoenaed documents from Fifth Third Bank reference Subpoena No. 12-1282.
38	Detailed analysis of subpoenaed documents from Fifth Third Bank reference Subpoena No. 12-1282.
39	Subpoenaed documents from JP Morgan Chase Bank reference Subpoena No. 12-1040 and 12-1283.
40	Detailed analysis of subpoenaed documents from JP Morgan Chase Bank.
41	Correspondence from Wells Fargo Bank reference Subpoena No. 12-1018.
42	BlueGem subpoena and response
43	CD of voice mail
44	Email chain of voice mail.
45	Information obtained from TightLine Productions.
46	Information obtained from Spectrum Monthly.
47	HP contract and emails.
48	BlueWare/RoseWare/BlueGem contracts and Invoices.
49	Needelman's calendar, emails from Blueware.
50	Puckett timeline
51	Subpoenaed documents from Bank of America reference Subpoena No. 12-1214.
52	A detailed analysis of the subpoenaed documents from Bank of America reference Subpoena No. 12-1214.
53	Three compact disc
54	Copy of subpoena No. 13-189 and the corresponding documents.
55	Detailed analysis of subpoenaed documents from Capital One Bank reference subpoena No. 13-189.
56	Additional Information from Spectrum Marketing.
57	Copies of subpoena No. 13-190 and the corresponding documents.
58	Subpoenaed documents from AT&T Mobility reference (321) 243-7752 and (321) 431-4568.
59	EDC documents received March 8, 2013
60	CD of email from EDC
61	CD and thumb drive
62	Vehicle Body File from DHSMV on VIN: 2C3CDYCJ6CH221952.
63	Copy of subpoena No. 13-268 and the corresponding bank documents from PNC Bank.
64	Detailed analysis of subpoenaed documents from PNC Bank reference subpoena No. 13-268.
65	Detailed analysis of phone calls btwn (321) 243-7752 and (321) 431-4568 for the year 2012.

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Related Items
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66	CD of interview.
67	Subpoenaed documents from Regions Bank reference Sloane Mackenzie Public Affairs, LLC.
68	Detailed analysis of subpoena No. 13-196 reference Sloane Mackenzie Public Affairs, LLC.
69	Copy of subpoena No. 13-196 from Regions Bank.
70	CD and letter from Sean Campbell
71	Emails from CSI
72	Email to McDaniel regarding scanning proposal
73	Invoices and payment
74	Compact disc recording of Carol Brancato interview
75	Information obtained from eWareness, Inc.
76	Copy of subpoena No. 13-267 and corresponding subpoenaed documents from SunTrust Bank.
77	Detailed analysis of subpoenaed documents from SunTrust Bank reference subpoena No. 13-267.
78	Subpoenaed documents from Bank of America reference subpoena No. 13-297.
79	Detailed analysis of subpoenaed documents from Bank of America reference subpoena No. 13-297.
80	Detailed analysis of subpoenaed documents from Bank of America reference subpoena No. 13-297.
81	Copy of subpoena No. 13-298 and the corresponding documents from JP Morgan Chase Bank.
82	Copy of subpoena No. 13-296 and the corresponding documents from Regions Bank.
83	Detailed analysis of the subpoenaed documents from Regions Bank reference subpoena No. 13-295.
84	Copy of subpoena No. 13-331 and the corresponding bank documents from GE Capital Retail Bank.
85	Detailed analysis of subpoenaed documents from GE Capital Retail Bank reference subpoena No. 13-331.
86	Copy of subpoena No. 13-359 and the corresponding bank documents.
87	Detailed analysis of subpoenaed documents from FIA Card Services reference subpoena No. 13-359.
88	Rose Harr Depo. civil
89	Geaney depo civil
90	Facebook Screen Shot
91	Subpoena
92	Ewareness correspondence
93	BlueWare QACF agreement
94	BlueWare QACF term letter
95	BlueWare Tax refund agreement
96	BlueWare Tax refund term letter
97	Email from Brian St.Ours

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Related Items
As of 07/10/2013

98	Information obtained from E One Marketing.
99	Audio CD of Interview with Nick Geaney
100	Transcribed Statement taken on 05/08/2013 of Nick Geaney.
101	Subpoenaed documents from Bank of America reference subpoena No. 13-486.
102	Subpoenaed documents from Bank of America reference Ellgere Strategies Account ending in [REDACTED].
103	April expense report
104	March expense report
105	Car rental agreement
106	Subpoenaed documents reference Matt Dupree's Bank of America accounts (subpoena No. 13-194 & 13-298).
107	A detailed analysis of the subpoenaed documents from Bank of America reference Dupree's accounts.
108	Subpoenaed documents from Discover Card reference Joan Needelman's account (No. 13-332).
109	A detailed analysis of subpoenaed documents from Discover Card reference J. Needelman's account (13-332).
110	Subpoenaed documents from Wells Fargo reference Jason Steele (No. 13-416).
111	A detailed analysis of subpoenaed documents from Wells Fargo Bank reference J. Steele (No. 13-416).
112	Subpoenaed documents from Bank of America reference Jason Steele's Campaign Acct. (No. 13-415).
113	Subpoenaed documents from JPMorgan Chase Bank reference Blue Gem (No. 13-485).
114	Detailed analysis of subpoenaed documents from JPMorgan Chase Bank reference Blue Gem (No. 13-485).
115	Subpoenaed documents from JPMorgan Chase Bank reference Needelman's Amazon CC.
116	A detailed analysis of subpoenaed documents from JPMorgan Chase Bank reference Needelman's Amazon CC.
117	Subpoenaed documents from SunTrust Bank reference BCCC (No. 13-294).
118	Subpoenaed documents from Regions Bank reference BlueGem (No. 13-484).
119	A detailed analysis of subpoenaed documents from Regions Bank reference BlueGem (No. 13-484).
120	CD of recorded interview
121	Various documents obtained from Geaney during interview.
122	CD of recorded interview
123	Flow Chart and BlueGem activities timeline
124	Hard copy of flow chart and timeline provided by Eggl.
125	Property Receipt and Evidence Form for computer
126	CD of interview
127	Items referenced in IR, i.e. check from Geaney, emails to/from Pomichter.
128	CD of interview
129	CD of interview with Walliver

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Related Items
As of 07/10/2013

130	Emails and attachments from BCSD
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Related Items
As of 08/27/2013

Related Item No.	Description
131	Letter from Bank of America, Card Services reference subpoena No. 13-733.
132	Subpoenaed documents from Wells Fargo Bank reference Needelman's HELOC (Subpoena No. 13-679).
133	A detailed analysis of subpoenaed documents from Wells Fargo Bank reference Needelman's HELOC account.
134	Subpoenaed documents from USBank reference Needelman's acct. (No. 13-710)
135	A detailed analysis of subpoenaed documents from USBank reference Needelman's acct. (13-710)
136	FNTI scanning proposal
137	DVD-R containing a copy of exhibit 1.2.
138	FDLE Lab results
139	Compact disc recording of meeting between McDaniel and Needleman
140	Property receipt
141	A copy of AMCAD's response to BID No. 20910820.
142	IAMSCO Zip Mail invoices and payments
143	DVD of two debates
144	Rankings
145	Needelman, Mitchell DEO
146	DuPree, William DEO
147	Harr, Rose DEO
148	Copy of Vehicle Body File from DHSMV reference VIN: 0F92M507516,
149	Affidavit and Warrant
150	Affidavit and Warrant
151	Copies of subpoena No. 13-607 and the corresponding documents from PayPal and eBay.
152	Arrest affidavit, warrant, rights form
153	CD of interview of Matt Dupree
154	BlueGEM complaint from BCCC
155	Lawsuit filed against RoseWare by the BCCC
156	Preliminary financial analysis of Mitch Needelman's bank records.
157	Preliminary financial analysis of Matt Dupree's bank records.
158	Preliminary financial analysis of Rose Harr's bank records.
159	Preliminary financial analysis of bank records.
160	Preliminary financial analysis of bank records.