

**IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT,
IN AND FOR FLAGLER COUNTY, FLORIDA**

PALM COAST HOLDINGS, INC. and
FLORIDA LANDMARK COMMUNITIES,
LLC,

Case No.: 2025-CA-670
Division: 49

Plaintiff,

vs.

CITY OF PALM COAST, a Florida Municipal
Corporation

Defendant.

RESPONSE TO PLAINTIFF'S FIRST REQUEST FOR PRODUCTION

Defendants, the City of Palm Coast, by and through undersigned counsel, hereby responds to *Plaintiff's First Request for Production* as follows:

1. All documents concerning the infrastructure improvements constructed by Plaintiff or its predecessors in interest pursuant to the Town Center DRI, including roads, water and wastewater systems, and other facilities.

RESPONSE: Provided under a separate cover.

2. All documents concerning the donation of real property by Plaintiff or its predecessors in interest to You pursuant to the Town Center DRI.

RESPONSE: Provided under a separate cover.

3. All documents concerning the expenditure of \$35.5 million by Plaintiff or its predecessors in interest on required improvements for the Town Center DRI.

RESPONSE: Provided under a separate cover.

4. All documents or communications that acknowledge, verify, or confirm the Developer's completion of infrastructure improvements and real property donations required under the 2003 DRI Development Order and subsequent amendments, including but not limited to inspection reports, certificates of completion, and correspondence.

RESPONSE: The City objects to this Request to the extent it is overly broad, unduly burdensome, and not proportional to the needs of the case as it seeks documents spanning more than twenty years.

5. All documents concerning Your acknowledgment that Plaintiff or its predecessors in interest completed all DRI's offsite mitigation obligations.

RESPONSE: Provided under a separate cover.

6. All documents concerning Your acknowledgment that Plaintiff or its predecessors in interest were vested for water, sewer, and other public services.

RESPONSE: Provided under a separate cover.

7. All capital improvement plans, budgets, or other documents from 2003 to the present that address expansion or improvement of Your potable water and wastewater systems.

RESPONSE: The City objects to this Request to the extent it is overly broad, unduly burdensome, and not proportional to the needs of the case as it seeks documents spanning more than twenty years.

8. All documents concerning Your potable water capacity and wastewater capacity, including but not limited to capacity analyses, studies, reports, and projections from 2003 to the present.

RESPONSE: The City objects to this Request to the extent it is overly broad, unduly burdensome, and not proportional to the needs of the case as it seeks documents spanning more than twenty years.

9. All documents concerning the allocation, reservation, or commitment of potable water capacity and wastewater capacity to the Town Center DRI from 2003 to the present.

RESPONSE: The City objects to this Request to the extent it is overly broad, unduly burdensome, and not proportional to the needs of the case as it seeks documents spanning more than twenty years.

10. All documents concerning Your annexation of lands from 2003 to the present, including applications, approvals, agreements, and related correspondence.

RESPONSE: The City objects to this Request to the extent it is overly broad, unduly burdensome, and not proportional to the needs of the case as it seeks documents spanning more than twenty years.

11. All bulk water and wastewater services agreements entered into by You from 2003 to the present.

RESPONSE: The City objects to this Request to the extent it is overly broad, unduly burdensome, and not proportional to the needs of the case as it seeks documents spanning more than twenty years.

12. All communications between You and Plaintiff or its predecessors in interest concerning potable water capacity or wastewater capacity for the Town Center DRI from 2022 to the present.

RESPONSE: The City has conducted a diligent search and reasonable inquiry and states that no documents responsive to this Request for Production are in it's possession, custody, or control.

13. All communications between You and any third parties concerning potable water capacity or wastewater capacity for the Town Center DRI from 2022 to the present.

RESPONSE: The City has conducted a diligent search and reasonable inquiry and states that no documents responsive to this Request for Production are in it's possession, custody, or control.

14. All minutes, transcripts, recordings, and notes of City Council meetings, workshops, or other public meetings where the Town Center DRI, potable water capacity, or wastewater capacity was discussed from 2022 to the present.

RESPONSE: Provided under a separate cover.

15. All internal communications, memoranda, emails, or other documents concerning the Town Center DRI, potable water capacity, or wastewater capacity from 2022 to the present.

RESPONSE: Provided under a separate cover.

16. All documents concerning Your policies, procedures, or practices for allocating potable water capacity and wastewater capacity to developments from 2003 to the present.

RESPONSE: The City has conducted a diligent search and reasonable inquiry and states that no documents responsive to this Request for Production are in it's possession, custody, or control.

17. All documents concerning any studies, analyses, or reports regarding Your current or projected potable water capacity and wastewater capacity from 2022 to the present.

RESPONSE: Provided under a separate cover.

18. All documents concerning any communications between You and any state or federal regulatory agencies regarding Your potable water capacity or wastewater capacity from 2022 to the present.

RESPONSE: Provided under a separate cover.

19. All documents and communications concerning any complaints, inquiries, or concerns raised by any person or entity regarding potable water capacity or wastewater capacity for the Town Center DRI from 2022 to the present.

RESPONSE: The City has conducted a diligent search and reasonable inquiry and states that no documents responsive to this Request for Production are in it's possession, custody, or control.

20. All documents and communications concerning any attempts by Plaintiff to sell its remaining land holdings in the Town Center DRI from 2022 to the present.

RESPONSE: The City has conducted a diligent search and reasonable inquiry and states that no documents responsive to this Request for Production are in it's possession, custody, or control.

21. All documents and communications concerning Your refusal or inability to guarantee potable water availability and wastewater capacity for the Town Center DRI from 2022 to the present.

RESPONSE: The City objects to the characterization of "refusal or "inability". Subject to said objection, the City has conducted a diligent search and reasonable inquiry and states that no documents responsive to this Request for Production are in it's possession, custody, or control.

22. All documents and communications between You and potential purchasers of Plaintiff's land holdings in the Town Center DRI.

RESPONSE: The City objects to this request as overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to said objection, the City has conducted a diligent search and reasonable inquiry and states that no documents responsive to this Request for Production are in it's possession, custody, or control.

23. All documents concerning the impact of Your annexations on potable water capacity and wastewater capacity from 2003 to the present.

RESPONSE: The City objects to this request as overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to said objection, the City has conducted a diligent search and reasonable inquiry and states that no documents responsive to this Request for Production are in it's possession, custody, or control.

24. All documents concerning any permits, approvals, or authorizations issued by state or federal agencies related to Your potable water and wastewater systems from 2022 to the present.

RESPONSE: Provided under a separate cover.

25. All documents concerning any consultants, engineers, or other experts retained by You to evaluate potable water capacity or wastewater capacity from 2022 to the present.

RESPONSE: Provided under a separate cover.

26. Copies of all documents that You contend modify, limit, or terminate any obligations You have under the 2003 DRI Development Order and subsequent amendments regarding potable water availability and wastewater capacity for the Town Center DRI.

RESPONSE: The City objects to this request as overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to said objection, the City has conducted a diligent search and reasonable inquiry and states that no documents responsive to this Request for Production are in its possession, custody, or control.

27. Any and all documentation of analysis demonstrating the current phase in which the Town Center DRI is in.

RESPONSE: Provided under a separate cover.

28. Any documentation or analysis demonstrating when the Town Center DRI entered the phase that it is currently in.

RESPONSE:
The City objects to this request as overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to said objection, the City has conducted a diligent search and reasonable inquiry and states that no documents responsive to this Request for Production are in its possession, custody, or control.

29. Any communications by or between the City regarding the phasing of the Town Center DRI.

RESPONSE: The City has conducted a diligent search and reasonable inquiry and states that no documents responsive to this Request for Production are in its possession, custody, or control.

30. Any communications by or between the City and third parties regarding the phasing of the Town Center DRI.

RESPONSE: The City has conducted a diligent search and reasonable inquiry and states that no documents responsive to this Request for Production are in its possession, custody, or control.

31. Any communications by or between the City regarding what phase(s) the Town Center DRI was in during any time from 2022 to present.

RESPONSE: The City has conducted a diligent search and reasonable inquiry and states that no documents responsive to this Request for Production are in its possession, custody, or control.

32. Any communications by or between the City and third parties regarding what phase(s) the Town Center DRI was in during any time from 2022 to present.

RESPONSE: The City has conducted a diligent search and reasonable inquiry and states that no documents responsive to this Request for Production are in it's possession, custody, or control.

CERTIFICATE OF SERVICE

I certify that, in compliance with Fla. R. Gen. Prac. & Jud. Admin. 2.516, the foregoing document has been filed with the Florida Courts E-Filing Portal System on this 23rd day of February 2026. Accordingly, a copy of the foregoing is being served on this day to the attorneys or interested parties identified in the e-Portal Electronic Service List, including those listed below, via transmission of Notices of Electronic Filing generated by the e-Portal System.

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