

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

**SPORT & WHEAT CPA PA, a Florida
corporation, individually and on behalf
of a class of similarly situated businesses
and individuals,**

Plaintiff,

v.

**SERVISFIRST BANK INC.;
SYNOVUS BANK;
THE FIRST, A NATIONAL
BANKING ASSOCIATION; and
TRUIST BANK,**

Defendants.

CASE NO.:

3:20-cv-05425-TKW-HTC

DEFENDANT SYNOVUS BANK’S INITIAL DISCLOSURES

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure and Paragraph 26(2)(b) of the Court’s Initial Scheduling Order, Defendant Synovus Bank (“Synovus”) makes its Initial Disclosures as follows:

- 1. The name and, if known, the address and telephone number of each individual likely to have discoverable information--along with the subjects of that information--that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment;**

Plaintiff filed its initial complaint on April 26, 2020, and Plaintiff filed an amended complaint on May 27, 2020. The parties are in the early stages of discovery. Synovus is in the process of investigating the allegations of Plaintiff's amended complaint, investigating potentially relevant evidence, and otherwise conducting discovery. Subject to its right to supplement this initial disclosure, Synovus refers Plaintiff to Synovus's response to Plaintiff's Interrogatory No. 3, which was served contemporaneously with these initial disclosures.

- 2. A copy--or a description by category and location--of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment;**

Plaintiff filed its initial complaint on April 26, 2020, and Plaintiff filed an amended complaint on May 27, 2020. The parties are in the early stages of discovery. Synovus is in the process of investigating the allegations of plaintiff's amended complaint, investigating potentially relevant evidence, and otherwise conducting discovery. Subject to its right to supplement this initial disclosure, Synovus refers Plaintiff to Synovus' June 29, 2020 document production.

- 3. A computation of each category of damages claimed by the disclosing party—who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered.**

At this time, Synovus Bank has not asserted a claim for damages against Plaintiff. Synovus Bank reserves the right to supplement and amend this disclosure.

- 4. For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.**

Synovus denies that it is liable for any damages claimed in Plaintiff's Amended Complaint. Assuming, however, that any such damages were the subject of a possible judgment against Synovus, all or part of any such judgment may be satisfied under one or more liability insurance policies. Synovus will make any such policies available for inspection and copying pursuant to Rule 34 at a mutually agreeable location, date, and time and subject to the entry of an appropriate Confidentiality Protective Order.

—Signatures on following page—

This 29th day of June, 2020.

By: /s/Ramsey B. Prather

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CERTIFICATE OF SERVICE

I hereby certify that I have on this 29th day of June, 2020, served the following counsel of record in the within matter by with a copy of the above and foregoing discovery response via email:

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