

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

MICHAEL A DOYLE)
)
 Plaintiff,)
)
 v.)
)
 SHAWN BABINE, COUNCILOR)
)
 in his individual and official capacities)
 for the TOWN OF SCARBOROUGH, MAINE,)
 MARY PEARSON in her individual and)
 official capacities, for the TOWN OF)
 SCARBOROUGH, and the MUNICIPALITY)
 OF SCARBOROUGH, MAINE)
)
 Defendants)

Civil Action No.:
2:19-cv-00469-JDL

**PLAINTIFF’S FIRST SET OF INTERROGATORIES PROPOUNDED UPON
DEFENDANTS**

NOW COMES Plaintiff Michael Doyle and propounds the following
interrogatories to be answered by Defendants within thirty (30) days under oath,

and in accordance with the definitions and instructions set forth below, which are hereby deemed to be incorporated within each of the following Interrogatories.

DEFINITIONS AND INSTRUCTIONS

1. All capitalized terms shall have the meaning set forth in the Plaintiff's Complaint in this action unless otherwise expressly provided or such term is otherwise defined herein.
2. The terms "you," "your," or "Defendants" refers to Councilor Babine, Councilor Donavan, Town Manager Thomas Hall, Police Chief Robert Moulton, Sgt. Pearson, and the Town of Scarborough, the Defendants and Witnesses in this Action, jointly and severally.
3. "Action" shall mean the above captioned lawsuit.
4. References to pleadings or other filings shall mean those documents filed in the action.
5. Where information in your possession is requested, such Request includes the information in the possession of your employees,, officers, managers, agents, representatives, partners, members, consultants, advisors, any other person or entity acting with you, under control, or on your behalf, and unless, unless privileged your attorneys. You should make diligent inquiry of any and all "person." "documents." And other sources which may have any information relating in any way to any of these Requests. When exact information is not

available in responding to a request, use or provide the best estimate which is available. Designate and estimate so used or provide as such and state the basis, source and/or other derivation of such estimate. In addition, due to Thomas Hall's misconduct in a prior action by withholding over 1,000 emails under a FOAA request, without following the law that requires disclosing how and why the information was exempt, any information to be declared to be privileged state the type of information being withheld and how it is exempt.

6. This Discovery is continuing in nature, so as to require you to file supplementary answers if you obtain further or different information before trial to the extent required by the Rules of Discovery.
7. As used herein, the terms "agent" and "agents" include each person employed by you or working under your supervision, direction or control, including but not limited to attorneys, investigators, paralegals, employees, contractors, and consultants.
8. As used herein, the terms "document" and "documents" mean and include, without limitation, the original, any draft and any duplicated or copy (whether or not different from the original because of notes made on or attached to such copy or otherwise.), of any written, printed, recorded, or graphic matter, photographic matter, video tapes, sound reproductions however produced or reproduced, notes, telephone messages, electronic mail, records, lists memoranda, bulletins,

specifications, instructions, advertisements, pamphlets, literature, work assignments, calendars, diaries, agendas, minutes, transcripts, reports, studies, surveys, valuations, appraisals, memoranda, od conversations interviews, notebooks, drafts, data sheets, working papers, contacts, memoranda or agreements, assignments, licenses, orders, ledgers, journal, calculations, plans, specifications, invoices, abatements, bills, checks, catalogs, books, other data compilations, from which information can be obtained or translated, if necessary, by respondent through detection devices into reasonably usable form, and all other written/documentary material (including microfilm, tapes and data processing records, data processing card, computer files, and computer disks or other storage device, mechanism or format) of whatever kind known to you, whether or not in your possession, custody or control, as well as copies on the original. “Document” and “documents” also mean and include all items descried, defined, or listed in Rule of Evidence.

9. As used herein, the term “communication” means and includes, without limitation, any transaction or exchange of information between two or more persons, whether orally or in writing, by means of conversation, discussion, meeting, letter, note, memorandum, cable, electronic mail, text message, fax, any other document, telephone, telegraph, telex, telecopier, or any other electronic, written, audio, or visual, medium.

10. As used herein, a communication or document “concerning,” “regarding,” “pertaining,” “relating,” or “which relates” to any given subject or person means any communication or document that constitutes, contains, embodies, concerns, regards, involves, relates to, reflects, identifies, states, refers to, deals with, is authored by, transmitted, communicated or originated by, is transmitted or communicated to or received by, or is in any way pertinent to that subject or person, including, without limitation, documents concerning the preparation of other documents.

11. Unless otherwise indicated by context, as used herein the term “identify,” “identification,” or “identify,” when used in connection with person, means to specify the person’s full name, home and business address, home and business telephone numbers, name of and current position with employer, and all relationships with you at any time or if any of the foregoing are not known, such information as was last known. If you expect to call the person identified as a witness at trial, you should also state the subject matter on which the person is expected to testify, the substance of the facts and opinions to which he or she is expected to testify, and a summary of the grounds for each opinion.

12. Unless otherwise indicated by context, as used herein the term “identity,” “identification,” or “identity,” when used in connection with documents, means to specify the document’s nature or type (e.g., letter memorandum, etc.) date, title,

subject matter, content, the identity of each person who participated in the preparation of the documents, the identity of every person for whom the document was prepared or to whom it was delivered, the identity of the person who has possession, custody or control over each copy of the documents under the rules of this Court which would not be objectionable because of lack of particularity or insufficiency of identification.

13. Unless otherwise indicated by the context, as used herein the term “identify,” “identification,” or “identity,” when used in connection with a communication, means to state the date and location of such communication to identify each person participating therein or present therefor, to state in complete detail what was said by each participant in the course thereof or the substance of each subject raised, considered, or discussed, and to identify, as defined above, any documents which relate or refer to, or set forth, or summarize, any portion of each communication.
14. When a Request refers to your or any other person’s “basis,” or “bases,” “ground,” or “grounds,” you are to provide all documents that form or affect such “basis or bases,” “grounds, or grounds,” and a description of when, where, and the identity, as defined above, of the person from whom the information was learned or received, and if by means of one or more documents or communications, the identity, as defined above, of each such document and communication.

15. As used herein, “state” or “describe” means to set forth in full and complete detail all knowledge and information in your possession, custody or control relating to the subject matter of the Request, including without limitation the source and basis, as defined above, of your knowledge and information if not otherwise evident from your answer to the Request and the identity, as defined above of each document and each communication on which you rely to any extent in making your answer.
16. Whenever it is necessary to bring within the scope of this Discovery information that otherwise might be construed to be outside their scope, (1) the words “and” and “or” shall be construed both disjunctively and conjunctively,; (2) the use of a word in its singular form shall be construed to include within its meaning its plural form as well, and vice versa; (3) the use of “included(s)” and “including” shall be construed to mean “without limitation,” and (4) the use of a verb in any tense or voice shall be construed as the use of that verb in all other tenses and voices.
17. If you do not respond to any of this Discovery because of a claim of privilege, state in each such instance the privilege claimed, the legal and factual basis for the claim, the identity of each document or communication affected by the claim, and the identity of each person who had access to the document, the communication, or the information contained.
18. This Request is a continuous request so that in the event that the Defendants or its attorneys obtains a document covered herein subsequent to the date on which

production is made, pursuant to this request, the Defendants shall produce such document(s) as soon as possible.

INTERROGATORIES FOR ROBERT MOULTON

1. When the female town councilor was in custody for drunk driving in her driveway while she was urinating herself, who made the decision not to arrest her and book her at Cumberland County Jail and tow her vehicle?
2. When you were a Captain at an underage drinking party and sitting in a hot tub talking to a 14-year-old Maietta granddaughter, did you ask her to take her dress off and get into the tub with you?
3. It's reported you made a point to exonerate yourself from the hot tub incident by paying for a polygraph test. Provide the name, address, and phone number of the examiner
4. Were you married to wife number one when you were working in the Scarborough High School and began dating an underage high school senior who subsequently became wife number two and were caught having sex with her in Cape Elizabeth?
5. Did you show that Cape Officer your badge to get out of further questioning that kept her underage status secret?
6. When officer Guay got the C.I. pregnant killing a major Class A felony drug distribution case, what was the justification of promoting him to acting Sgt. and

taking him to an awards ceremony (email dated May 31, 2012) for Drug Enforcement Agents' luncheon?

7. How long in weeks and months did you drive the seized BMW as your personal vehicle while driving it out of state with an expired inspection sticker (email dated June 12, 2013 re: Gary Morong)?
8. When a Sgt. tipped off the thief of a large amount of Viagra, that the MDEA was about to serve a search warrant on did you do any internal investigation to arrest that Sgt.?
9. Are you friends with Cathy Chandler on Facebook, if not, why not?
10. Have you ever interceded on O.U.I. cases to have officers involved to reduce or void the charges?
11. How many times was Jason Fowler cited for drunk driving and found guilty?
12. How did Jason Fowler die, did the blood test show that he was driving drunk at the time of his death?
13. Have you ever had sexual contact with any Scarborough employees, or with any employee's wife or ex-wife, if so, who were they?
14. What action, if any, did you take when Sgt. O'Malley was conducting affairs during work hours while living with his wife and impregnating a woman, ending in an abortion?

15. Why was no investigation conducted involving Officer Gene O'Neil and his alleged rape of an Anjon daughter?
16. Why is Officer Peter Nappi allowed to use houses in the gated part of Prouts Neck for personal intimate meetings?
17. How many 'auditing meetings' did you conduct in your office at the police station with the lights off with a female member of the town's finance department (was it Heidi ext. 4087)?
18. Describe your relationship with Meeghan Sargent to include when you started having sex with her as Police Explorer, how she was your 'date' at a funeral where she didn't know anyone there including the decease, and what grounds caused you to fire her in May 2012?
19. Explain how a sedentary, overweight, over 50-year-old woman, Capt. Marla St. Pierre could accumulate 652 hours of sick leave, or almost \$30,000 of pay by not having little, if any, sick leave (email from Chandler to Moulton April 30, 2012)?
20. Explain how you helped Mr. Gordon (tel. 207.332.1599) get his case dismissed and describe the nature of the case that was dismissed (email from Chandler to Moulton March 2, 2011)?

Dated at Portsmouth, New Hampshire this 17th day of February 2020

Michael Doyle, Pro Se

PMB 329 1465 Woodbury Ave.

Portsmouth, NH 03801

207.766.6644