

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BENJAMIN M. AUSLANDER,	:	
	:	Civil Docket No. 2:22-cv-01425-HB
Plaintiff,	:	
	:	
v.	:	
	:	
TREDYFFRIN/EASTTOWN SCHOOL DISTRICT, ARTHUR J. MCDONNELL, and PACIFIC EDUCATIONAL GROUP	:	
	:	
Defendants.	:	

**INITIAL DISCLOSURES FOR TREDYFFRIN/EASTTOWN
SCHOOL DISTRICT AND ARTHUR J. MCDONNELL**

Defendants Tredyffrin/Easttown School District (the “District”) and Arthur J. McDonnell (collectively the “District Defendants”), by and through their attorneys, Wisler Pearlstine, LLP, hereby submit their initial disclosures pursuant to Rule 26(a) of the Federal Rules of Civil Procedure.

A. 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;

See the Joint Stipulation Facts for Expedited Trial (ECF Document 16).

The following individuals may have information about Plaintiff’s Right to Know Requests and his inspection of the PEG materials. With the exception of Plaintiff, contact must be made through the undersigned counsel for District Defendants.

- Defendant Arthur McDonnell
- Mary Minicozzi
- Plaintiff Benjamin Auslander

The following individuals may have information related to the District's agreement with PEG. With the exception of Mr. Gregory, contact must be made through the undersigned counsel for District Defendants.

- Arthur McDonnell
- Mary Minicozzi
- Dr. Wendy Towle
- Dr. Oscar Torres
- Mark Gregory, Esq.

The following individuals may have information related to Plaintiff's Right to Know Requests, the involvement of America First Legal, and related Right to Know matters. Contact for Mr. McDonnell and Ms. Minicozzi must be made through the undersigned counsel for District Defendants

- Walter Zimolong, Esq.
- Nicholas Barry, Esq.
- Plaintiff Benjamin Auslander
- Mark Gregory, Esq.
- Defendant Arthur McDonnell
- Mary Minicozzi

B. 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;

See: (i) the documents identified in the Joint Stipulation Facts for Expedited Trial (ECF Document 16); (ii) the PEG documents produced to Plaintiff's counsel and PEG's counsel, Mark Gregory in June 2022; (iii) the June 8, 2022, letter from Mr. Gregory to District Defendants' counsel.

C. 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; and

At this time, District Defendants are not claiming damages but reserve the rights stated in its crossclaim against PEG.

- D. 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.**

District Defendants will make its insurance policy applicable to this matter available for inspection and copying under Rule 34.

WISLER PEARLSTINE, LLP

/s/ Brian R. Elias.

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