

# EXHIBIT H

## Jody Broaddus

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**From:** Alexz Thompson  
**Sent:** Thursday, May 16, 2019 12:50 PM  
**To:** 'JOSEPH J. POPOLIZIO'; Justin Ackerman  
**Cc:** Jody Broaddus; Julie Wanner; Melissa Ward  
**Subject:** Wheatcroft v. City of Glendale, et al.  
**Attachments:** 20190516 Letter to Popolizio.pdf; 20190516 First Amended NOD Schneider.pdf; 20190516 First Amended NOD Lindsey.pdf; 20190516 First Amended NOD Fernandez.pdf; 20190516 NOD LaBrant.pdf

Counsel:

Attached please find correspondence from Attorney Jody Broaddus and four Notices of Deposition. The originals will follow in the mail.

Thank you,



ATTORNEYS FOR  
**FREEDOM**  
LAW FIRM

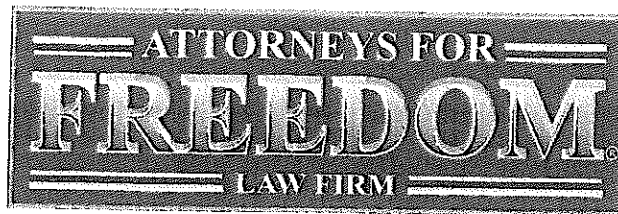
**Alexz Thompson**  
Civil Litigation Paralegal

☎ 480.755.7110   ☎ 480.455.5221   ☎ 480.857.0150  
Alexz@AttorneysForFreedom.com   AttorneysForFreedom.com

3185 SOUTH PRICE ROAD • CHANDLER, ARIZONA 85248

The contents of this message, together with any attachments, are intended only for the use of the individual or entity to which they are addressed and may contain information that is legally privileged, confidential and exempt from disclosure. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this message, or any attachment, is strictly prohibited. If you have received this message in error, please notify the original sender or The Attorneys For Freedom Law Firm at (480) 755-7110, immediately by telephone or by return e-mail and delete this message, along with any attachments, from your computer. Thank you.

MARC J. VICTOR, Esq.  
Marc@AttorneysForFreedom.com  
President  
Certified Criminal Law Specialist by  
The Arizona Board of Legal Specialization  
ANDREW C. MARCANTEL, Esq.  
Andy@AttorneysForFreedom.com  
Partner and Criminal Defense Attorney



JODY L. BROADDUS, Esq.  
Jody@AttorneysForFreedom.com  
Supervising Civil Attorney

HOWARD F. DWORMAN, Esq.  
Howard@AttorneysForFreedom.com  
Criminal Defense Attorney

May 16, 2019

**SENT VIA EMAIL AND FIRST CLASS MAIL**

Joseph Popolizio, Esq.  
Jones, Skelton & Hochuli, P.L.C.  
40 North Central Avenue, Suite 2700  
Phoenix, Arizona 85004  
[jpopolizio@jshfirm.com](mailto:jpopolizio@jshfirm.com)

Re: *Wheatcroft v. City of Glendale, et al.*

Dear Joe:

As you know, I have been trying to work with you to schedule the depositions of the individual Defendants since late February, but to no avail. Attached are amended notices of depositions for Schneider, Lindsey, Fernandez, and LaBrant. Please advise whether you will voluntarily produce Sgt. LaBrant or whether a subpoena is necessary for his appearance.

Sincerely,

ATTORNEYS FOR FREEDOM

Jody L. Broaddus, Esq.

JLB/amt  
Enclosures (as stated)

1 **Marc J. Victor, SBN 016064**  
2 **Jody L. Broaddus, SN 020122**  
3 **ATTORNEYS FOR FREEDOM**  
4 3185 South Price Road  
5 Chandler, Arizona 85248  
6 Phone: (480) 755-7110  
7 Fax: (480) 857-0150  
8 Marc@AttorneyForFreedom.com  
9 Jody@AttorneyForFreedom.com  
10 *Attorneys for Plaintiffs*

11 **IN THE UNITED STATES DISTRICT COURT**  
12 **IN AND FOR THE DISTRICT OF ARIZONA**

13 Johnny Wheatcroft and Anya Chapman, as  
14 husband and wife, and on behalf of minors J.  
15 W. and B. W.,

16 Plaintiffs,

17 v.

18 City of Glendale, a municipal entity; Matt  
19 Schneider, in his official and individual  
20 capacities; Mark Lindsey, in his official and  
21 individual capacities; and Michael Fernandez,  
22 in his official and individual capacities;

23 Defendants.

Case No.: 2:18-cv-02347-SMB

**FIRST AMENDED NOTICE  
OF DEPOSITION OF  
MATTHEW SCHNEIDER**

24 **TO: MATTHEW SCHNEIDER**

25 **YOU ARE HEREBY NOTIFIED** that, pursuant to Fed. R. Civ. P. 26 and 30, the  
26 deposition will be taken upon oral examination of the person whose name and address are stated  
below at the time and place stated below before an officer authorized by law to administer oaths.  
If the name is not known, a general description sufficient to identify that person or the particular  
classes or groups to which that person belongs is given below:

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**PERSON TO BE EXAMINED:** Matthew Schneider  
c/o Joseph J. Popolizio  
JONES, SKELTON & HOCHULI, P.L.C.  
40 North Central Avenue, Suite 2700  
Phoenix, Arizona 85004

**DATE/TIME OF DEPOSITION:** June 5, 2019 at 10:00 a.m.

**PLACE OF DEPOSITION:** ATTORNEYS FOR FREEDOM  
3185 South Price Road  
Chandler, Arizona 85248

DATED this 16<sup>th</sup> day of May, 2019.

ATTORNEYS FOR FREEDOM

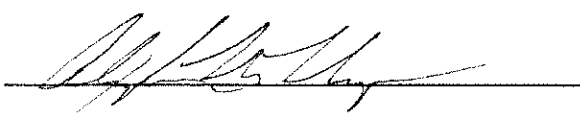
By:   
Marc J. Vietor, Esq.  
Jody L. Broaddus, Esq.  
*Attorneys for Plaintiff*

**CERTIFICATE OF MAILING**

I hereby certify that on May 16<sup>th</sup>, 2019, I mailed/mailed this a copy of this document to  
the following:

Joseph J. Popolizio  
Justin M. Ackerman  
JONES, SKELTON & HOCHULI, P.L.C.  
40 North Central Avenue, Suite 2700  
Phoenix, Arizona 85004

Berry & Associates  
4032 North Miller Road, Suite A100  
Scottsdale, Arizona 85251  
[berry-office@berryreporting.com](mailto:berry-office@berryreporting.com)



1 **Marc J. Victor, SBN 016064**  
2 **Jody L. Broaddus, SN 020122**  
3 **ATTORNEYS FOR FREEDOM**  
4 3185 South Price Road  
5 Chandler, Arizona 85248  
6 Phone: (480) 755-7110  
7 Fax: (480) 857-0150  
8 Marc@AttorneyForFreedom.com  
9 Jody@AttorneyForFreedom.com  
10 *Attorneys for Plaintiffs*

11  
12 **IN THE UNITED STATES DISTRICT COURT**  
13 **IN AND FOR THE DISTRICT OF ARIZONA**

14 Johnny Wheatcroft and Anya Chapman, as  
15 husband and wife, and on behalf of minors J.  
16 W. and B. W.,

17 Plaintiffs,

18 v.

19 City of Glendale, a municipal entity; Matt  
20 Schneider, in his official and individual  
21 capacities; Mark Lindsey, in his official and  
22 individual capacities; and Michael Fernandez,  
23 in his official and individual capacities;

24 Defendants.

Case No.: 2:18-cv-02347-SMB

**FIRST AMENDED NOTICE  
OF DEPOSITION OF  
MARK LINDSEY**

25 **TO: MARK LINDSEY**

26 **YOU ARE HEREBY NOTIFIED** that, pursuant to Fed. R. Civ. P. 26 and 30, the  
deposition will be taken upon oral examination of the person whose name and address are stated  
below at the time and place stated below before an officer authorized by law to administer oaths.  
If the name is not known, a general description sufficient to identify that person or the particular  
classes or groups to which that person belongs is given below:

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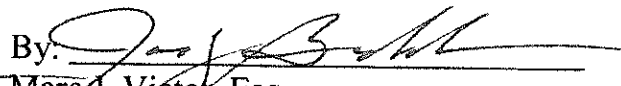
PERSON TO BE EXAMINED: Mark Lindsey  
c/o Joseph J. Popolizio  
JONES, SKELTON & HOCHULI, P.L.C.  
40 North Central Avenue, Suite 2700  
Phoenix, Arizona 85004

DATE/TIME OF DEPOSITION: June 20, 2019 at 10:00 a.m.

PLACE OF DEPOSITION: ATTORNEYS FOR FREEDOM  
3185 South Price Road  
Chandler, Arizona 85248

DATED this 16<sup>th</sup> day of May, 2019.

ATTORNEYS FOR FREEDOM

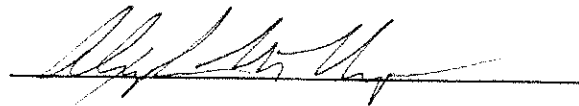
By:   
Marc J. Victor, Esq.  
Jody L. Broadus, Esq.  
*Attorneys for Plaintiff*

**CERTIFICATE OF MAILING**

I hereby certify that on May 16<sup>th</sup>, 2019, I mailed/emailed this a copy of this document to the following:

Joseph J. Popolizio  
Justin M. Ackerman  
JONES, SKELTON & HOCHULI, P.L.C.  
40 North Central Avenue, Suite 2700  
Phoenix, Arizona 85004

Berry & Associates  
4032 North Miller Road, Suite A100  
Scottsdale, Arizona 85251  
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2 **Jody L. Broaddus, SN 020122**  
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4 3185 South Price Road  
5 Chandler, Arizona 85248  
6 Phone: (480) 755-7110  
7 Fax: (480) 857-0150  
8 Marc@AttorneyForFreedom.com  
9 Jody@AttorneyForFreedom.com  
10 *Attorneys for Plaintiffs*

11  
12 **IN THE UNITED STATES DISTRICT COURT**  
13  
14 **IN AND FOR THE DISTRICT OF ARIZONA**

15 Johnny Wheatcroft and Anya Chapman, as  
16 husband and wife, and on behalf of minors J.  
17 W. and B. W.,

18 Plaintiffs,

19 v.

20 City of Glendale, a municipal entity; Matt  
21 Schneider, in his official and individual  
22 capacities; Mark Lindsey, in his official and  
23 individual capacities; and Michael Fernandez,  
24 in his official and individual capacities;

25 Defendants.

Case No.: 2:18-cv-02347-SMB

**FIRST AMENDED NOTICE  
OF DEPOSITION OF  
MICHAEL FERNANDEZ**

26 **TO: MICHAEL FERNANDEZ**

**YOU ARE HEREBY NOTIFIED** that, pursuant to Fed. R. Civ. P. 26 and 30, the  
deposition will be taken upon oral examination of the person whose name and address are stated  
below at the time and place stated below before an officer authorized by law to administer oaths.  
If the name is not known, a general description sufficient to identify that person or the particular  
classes or groups to which that person belongs is given below:

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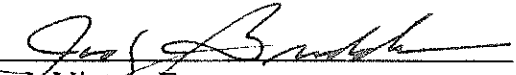
**PERSON TO BE EXAMINED:** Michael Fernandez  
c/o Joseph J. Popolizio  
JONES, SKELTON & HOCHULI, P.L.C.  
40 North Central Avenue, Suite 2700  
Phoenix, Arizona 85004

**DATE/TIME OF DEPOSITION:** June 14, 2019 at 10:00 a.m.

**PLACE OF DEPOSITION:** ATTORNEYS FOR FREEDOM  
3185 South Price Road  
Chandler, Arizona 85248

DATED this 16<sup>th</sup> day of May, 2019.

ATTORNEYS FOR FREEDOM

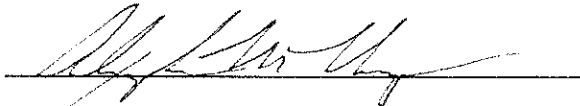
By:   
Marc J. Victor, Esq.  
Jody L. Broaddus, Esq.  
*Attorneys for Plaintiff*

**CERTIFICATE OF MAILING**

I hereby certify that on May 16<sup>th</sup>, 2019, I mailed/emailed this a copy of this document to  
the following:

Joseph J. Popolizio  
Justin M. Ackerman  
JONES, SKELTON & HOCHULI, P.L.C.  
40 North Central Avenue, Suite 2700  
Phoenix, Arizona 85004

Berry & Associates  
4032 North Miller Road, Suite A100  
Scottsdale, Arizona 85251  
[berry-office@berryreporting.com](mailto:berry-office@berryreporting.com)



1 **Marc J. Victor, SBN 016064**  
2 **Jody L. Broaddus, SN 020122**  
3 **ATTORNEYS FOR FREEDOM**  
4 3185 South Price Road  
5 Chandler, Arizona 85248  
6 Phone: (480) 755-7110  
7 Fax: (480) 857-0150  
8 Marc@AttorneyForFreedom.com  
9 Jody@AttorneyForFreedom.com  
10 *Attorneys for Plaintiffs*

11  
12 **IN THE UNITED STATES DISTRICT COURT**  
13  
14 **IN AND FOR THE DISTRICT OF ARIZONA**

15 Johnny Wheatcroft and Anya Chapman, as  
16 husband and wife, and on behalf of minors J.  
17 W. and B. W.,

18 Plaintiffs,

19 v.

20 City of Glendale, a municipal entity; Matt  
21 Schneider, in his official and individual  
22 capacities; Mark Lindsey, in his official and  
23 individual capacities; and Michael Fernandez,  
24 in his official and individual capacities;

25 Defendants.

Case No.: 2:18-cv-02347-SMB

**NOTICE OF DEPOSITION OF  
DON LABRANT**

26 **TO: Sgt. Don LaBrant**

**YOU ARE HEREBY NOTIFIED** that, pursuant to Fed. R. Civ. P. 26 and 30, the  
deposition will be taken upon oral examination of the person whose name and address are stated  
below at the time and place stated below before an officer authorized by law to administer oaths.  
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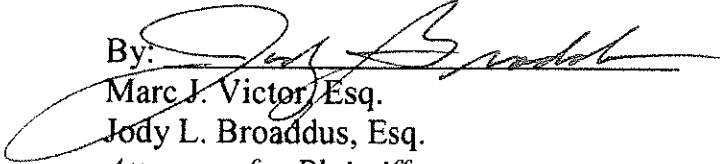
**PERSON TO BE EXAMINED:** Sgt. Don LaBrant  
c/o Joseph J. Popolizio  
JONES, SKELTON & HOCHULI, P.L.C.  
40 North Central Avenue, Suite 2700  
Phoenix, Arizona 85004

**DATE/TIME OF DEPOSITION:** June 26, 2019 at 10:00 a.m.

**PLACE OF DEPOSITION:** ATTORNEYS FOR FREEDOM  
3185 South Price Road  
Chandler, Arizona 85248

DATED this 16<sup>th</sup> day of May, 2019.

ATTORNEYS FOR FREEDOM

By:   
Marc J. Victor Esq.  
Jody L. Broaddus, Esq.  
*Attorneys for Plaintiff*

**CERTIFICATE OF MAILING**

I hereby certify that on May 16<sup>th</sup>, 2019, I mailed/mailed this a copy of this document to  
the following:

Joseph J. Popolizio  
Justin M. Ackerman  
JONES, SKELTON & HOCHULI, P.L.C.  
40 North Central Avenue, Suite 2700  
Phoenix, Arizona 85004

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