

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT IN AND
FOR ORANGE COUNTY, FLORIDA

CASE NO.:08-CA-24573

ZENAIDA GONZALEZ,

Plaintiff,

vs.

CASEY ANTHONY,

Defendant.

MOTION TO COMPEL

COMES NOW the Plaintiff, ZENAIDA GONZALEZ, by and through the undersigned attorney, and files this Motion Compel pursuant to Rule 1.380, Florida Rules of Civil Procedure and would show unto the court the following:

1. The Court gave Casey Anthony a chance to answer written questions in lieu of a live deposition.
2. Rather than take advantage of the opportunity, Casey Anthony has completed subverted discovery. She has not answered any of the questions, other than stating her name.
3. Her attorneys have been announcing publicly that the Plaintiff in this action is not the Zenaida Gonzalez whom Casey Anthony claims kidnapped Caylee. When shown a picture of Plaintiff, Casey Anthony purportedly told the police that she was not the Zenaida Gonzalez who kidnapped Caylee. Under the circumstance, there cannot be a good faith basis for refusing to answer the question – Is the lady in the attached picture (a picture of Plaintiff) the Zenaida Gonzalez you say kidnapped Caylee; and answering related questions making it clear Plaintiff

was not the Zenaida Gonzalez that Casey Anthony was targeting. Furthermore, her agents have waived any 5th Amendment privilege. By refusing to officially clear the Plaintiff's name under oath, the Plaintiff remains snared in Casey Anthony's defamatory web of deceit. Regardless of whether this refusal is a calculated effort to perpetuate the air of suspicion, or simply callous indifference, the effect is to inflict future harm on the Plaintiff.

4. The same is true as to questions asking her to describe the Zenaida Gonzalez she says kidnapped Caylee and regarding her dealings with this mystery woman.

5. The same is also true as to questions asking her to describe what she told others about Zenaida Gonzalez.

6. Likewise, all efforts to obtain information regarding her contact with Sawgrass Apartments were blocked without justification.

7. Other than stating her name, not a single question was answered.

8. It should be noted Casey Anthony is still pursuing her Counter Claim against Zenaida Gonzalez, while refusing to provide any information regarding Zenaida Gonzalez.

9. Given the utter lack of good faith and stonewalling by Casey Anthony, Plaintiff would request she be ordered to answer these questions at a live deposition.


10. Attached hereto as Exhibits "A" and "B" are the questions and responses.

11. Plaintiff's counsel certifies that he consulted with opposing counsel and made a good faith effort to resolve this matter before filing the Motion to Compel. Those efforts were unsuccessful.

WHEREFORE, Plaintiff respectfully requests that this Court enter an Order compelling the Defendant to provide better answers to Interrogatories and/or submit to a deposition and such further relief as this Court deems appropriate.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished, by mail/facsimile this 6~~th~~ day of March, 2009, to: Jonathan Kasen, Esquire, 633 S.E. 3rd Avenue, Suite #203, Fort Lauderdale, Florida 33301.



John B. Morgan, Esquire
FBN 0399116
Keith R. Mitnik, Esquire
FBN 436127
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Attorneys for Plaintiff

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT IN AND
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CASE NO.: 08-CA-24573

ZENAIDA FERNANDEZ-GONZALEZ,

Plaintiff/Counter Defendant,

vs.

CASEY ANTHONY,

Defendant/Counter Plaintiff.

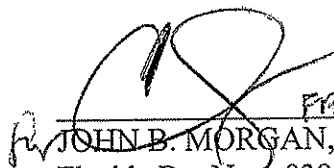
AMENDED NOTICE OF SERVICE OF INTERROGATORIES

* to correct scrivener's error

TO: CASEY ANTHONY, c/o Jonathan Kasen, Esquire, 633 S.E. 3rd Avenue, Suite #203,
Ft. Lauderdale, FL 33301

COMES NOW the Plaintiff, ZENAIDA FERNANDEZ-GONZALEZ, by and through the undersigned counsel and hereby propounds upon Defendant, CASEY ANTHONY, and pursuant to Rule 1.340, Florida Rules of Civil Procedure, the attached interrogatories, answers to which will be due within thirty (30) days from the date of service hereof.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail this 2nd day of February, 2009 to the above addressee at the above address.



JOHN B. MORGAN, ESQUIRE
Florida Bar No.: 0399116
KEITH R. MITNIK, ESQUIRE
Florida Bar No.: 436127
Morgan & Morgan, P.A.
P. O. Box 4979
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Telephone: 407-420-1414
Facsimile: 407-425-8171
Attorneys for Plaintiff

EXHIBIT 'A'

INTERROGATORIES TO DEFENDANT

1. State your name.

ANSWER:

2. Is the person in the attached picture, the Zenaida Gonzalez you claim had Caylee last time you saw her?

ANSWER:

3. As to the Zenaida Gonzalez you claim was a babysitter for Caylee, please answer the following questions:

a. To your knowledge, how many children did she have?

ANSWER:

b. To your knowledge, what were the children's names?

ANSWER:

c. To your knowledge, what kind of car did she drive?

ANSWER:

d. To your knowledge, did she have any tattoos?

ANSWER:

e. Had you seen her in a bathing suit?

ANSWER:

f. How did you describe her to law enforcement? (including, but not limited to, what you told law enforcement about her age, the kind of car she drove, the number of children she had, and the names of the children.)

ANSWER:

g. When did you first meet her?

ANSWER:

h. How many times did she babysit for you?

ANSWER:

i. How much did you pay her to babysit (per hour/per time)?

ANSWER:

j. Who else did you tell that Zenaida Gonzalez was babysitting? (please provide their names and addresses)

ANSWER:

4. List everyone you told that Caylee was with Zenaida Gonzalez the last time you saw her?

ANSWER:

5. Describe in detail what you told either of your parents about Zenaida Gonzalez and when you told them this information?

ANSWER:

6. Have you ever been to Sawgrass Apartments? If so, for each time state when, with whom, and explain why you were there.

ANSWER:

7. Do you know anybody who has worked at Sawgrass Apartments or lived there, and if so, state their names and addresses.

ANSWER:

8. Before you told law enforcement officers that Caylee was with Zenaida Gonzalez the last time you saw her, were you aware that Zenaida Gonzalez's name appeared on an applicant's form at Sawgrass Apartments? If so, how did you become aware of that information?

ANSWER:

9. Before you told law enforcement officers that Caylee was with Zenaida Gonzalez the last time you saw her, were you aware that a Zenaida Gonzalez had been to Sawgrass Apartments and was driving a car with New York tags?

ANSWER:

10. Do you admit the Zenaida Gonzalez who is suing you:

a. Has never babysat for Caylee?

ANSWER:

b. You have never met her?

ANSWER:

c. She did not have Caylee the last time you saw her?

ANSWER:

d. She is not the Zenaida Gonzalez you told police about?

ANSWER:

11. In paragraph 6 of your Counter-Claim, you stated, "The information was different in a number of material ways; specifically, that the Zenaida Gonzalez that Ms. Anthony was referring to drove a different car; she had a different name and she has less children than the Plaintiff has. The Plaintiff has six (6) children, the Zenaida Gonzales identified by the

Defendant has two (2) kids.” Is all of that statement true? If not, which parts are true and which parts are not true?

ANSWER:

12. In paragraph 3 of your Motion to Stay or Defer Defendant’s Deposition Until Resolution of the Pending Criminal Case you stated, “During an interview with the police on or about July 16, 2008, the Defendant told the police that she dropped off her daughter with a lady named Zenaida Gonzalez, Ms. Gonzalez functioned as a babysitter for the Defendant’s daughter and the defendant also indicated that the Zenaida Gonzalez in question was approximately twenty-four (24) years of age and had no children.” Is all of that statement true? If not, which parts are true and which parts are not true?

ANSWER:

13. In paragraph 8 of your Counter-Claim you state, “A picture of the Plaintiff was shown to the Defendant by the police and she did not identify that picture as the Plaintiff. Is that true?

ANSWER:

14. In paragraph 8 of your Counter-Claim you state, “The Plaintiff has an extraordinarily common name in the Hispanic community. In Orange County, Florida alone, there are more than twenty (20) listings for a Zenaida Gonzalez and the Plaintiff cannot prove that she has been defamed since the Plaintiff has no idea which Zenaida Gonzalez was described by the Defendant to the police department.” Is that true and if so, which phonebook were you referring to?

ANSWER:

15. Do you admit that the story you told law enforcement that Caylee was with someone named Zenaida Gonzalez the last time you saw her is not true?

ANSWER:

16. Do you know who killed Caylee?

ANSWER:

17. Were you involved in the death of Caylee?

ANSWER:

Casey Anthony

SWORN TO AND SUBSCRIBED before me this
____ day of _____, 2009.

Notary Public (signature)

Notary Public (type, print stamp commission)

My Commission Expires: _____

_____ Personally Known OR

_____ Produced Identification

_____ Type of Identification Produced: _____



ZENAIDA FERNANDEZ-GONZALEZ,
Plaintiff,

Vs.

CASEY ANTHONY,
Defendant.

**DEFENDANT'S ANSWER TO PLAINTIFF'S INTERROGATORIES PROPOUNDED ON
JANUARY 30, 2009**

Defendant, CASEY ANTHONY, (hereinafter referred to as "DEFENDANT"), through the undersigned counsel, pursuant to the applicable Rules of Florida Civil Procedure, hereby files her Answer to the Plaintiff's Interrogatories ("Plaintiff's Interrogatories") filed by the Plaintiff, ZENAIDA FERNANDEZ-GONZALEZ, (hereinafter "PLAINTIFF"), and states as follows:

ANSWERS

COUNTS

1. Casey Anthony.
2. Upon advice and counsel of my attorney, I am invoking my Right to Remain Silent pursuant to the 5th Amendment of the United States Constitution.
- 3 (a-j). Upon advice and counsel of my attorney, I am invoking my Right to Remain Silent pursuant to the 5th Amendment of the United States Constitution.
4. Upon advice and counsel of my attorney, I am invoking my Right to Remain Silent pursuant to the 5th Amendment of the United States Constitution.
5. Upon advice and counsel of my attorney, I am invoking my Right to Remain Silent pursuant to the 5th Amendment of the United States Constitution.
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7. Upon advice and counsel of my attorney, I am invoking my Right to Remain Silent pursuant to the 5th Amendment of the United States Constitution.

8. Upon advice and counsel of my attorney, I am invoking my Right to Remain Silent pursuant to the 5th Amendment of the United States Constitution.

9. Upon advice and counsel of my attorney, I am invoking my Right to Remain Silent pursuant to the 5th Amendment of the United States Constitution.

10. (a-d): Upon advice and counsel of my attorney, I am invoking my Right to Remain Silent pursuant to the 5th Amendment of the United States Constitution.

11. Upon advice and counsel of my attorney, I am invoking my Right to Remain Silent pursuant to the 5th Amendment of the United States Constitution.

12. Upon advice and counsel of my attorney, I am invoking my Right to Remain Silent pursuant to the 5th Amendment of the United States Constitution.

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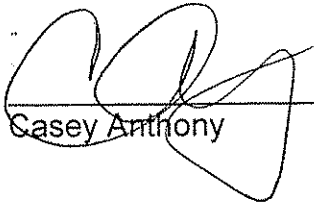
15. Upon advice and counsel of my attorney, I am invoking my Right to Remain Silent pursuant to the 5th Amendment of the United States Constitution.

16. Upon advice and counsel of my attorney, I am invoking my Right to Remain Silent pursuant to the 5th Amendment of the United States Constitution.

17. The Defendant would object to the question and would move to strike it. This question is being brought solely to embarrass, harass and brought in an attempt to implicate the Defendant in an on-going criminal prosecution for First (1st) Degree Murder. The question is without merit and wholly improper.

CERTIFICATE OF SERVICE

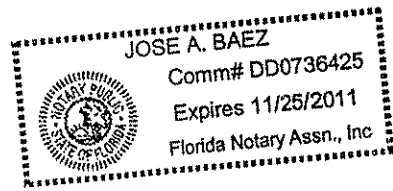
I HEREBY CERTIFY that a true and correct copy of the foregoing Answers to Plaintiff's interrogatories was furnished upon ~~Mr. Keith R. Mitnik~~, Esq., Morgan & Morgan, P.A., P.O. Box 4979, Orlando, FL 32802-4979 on this 2nd day of March, 2009.


Casey Anthony

SWORN TO AND SUBSCRIBED before me this 25 day of February, 2009.


Notary Public (signature)

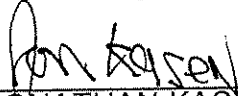
Notary Public (type, print stamp commission)



My commission expires : 11/25/11

- Personally Known
- Produced identification
- Type of Identification Produced: _____

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Fla. Bar No. 0164951