

IN THE CIRCUIT COURT OF THE 15TH  
JUDICIAL CIRCUIT, IN AND FOR PALM  
BEACH COUNTY, FLORIDA

CASE NO. 50-2019-CA-013860-XXXX-MB

GABE HOFFMAN,

Plaintiff,

v.

THOMAS SCHOENBERGER,

Defendant.

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**PLAINTIFF'S MOTION TO COMPEL RESPONSE TO "PLAINTIFF'S FIRST  
REQUEST FOR PRODUCTION TO DEFENDANT" AND RESPONSE TO  
"PLAINTIFF'S FIRST INTERROGATORIES TO DEFENDANT"**

COMES NOW the Plaintiff, GABE HOFFMAN, by and through the undersigned counsel, and hereby files this Motion to Compel Response to "Plaintiff's First Request for Production to Defendant" and Response to "Plaintiff's First Interrogatories to Defendant," and as grounds therefore, states the following:

1. On August 7, 2020, the Plaintiff propounded on Defendant and filed with this Court his First Request for Production to Defendant. [D.E. 24].
2. Also on August 7, 2020, the Plaintiff propounded on Defendant and filed with this Court his First Interrogatories to Defendant. [D.E. 25].
3. To date, the Defendant has not provided to the undersigned a Response to Request for Production to Defendant, despite more than 30 days having elapsed.
4. Further, Defendant has not filed any objection to the First Request for Production to Defendant.
5. To date, the Defendant has not provided to the undersigned a Response to First Interrogatories to Defendant, despite more than 30 days having elapsed.

6. Further, Defendant has not filed any objection to the First Interrogatories to Defendant.

7. The requested discovery is necessary to Plaintiff's claim and Plaintiff will be unduly prejudiced without Defendant's full and complete responses to the outstanding discovery.

8. On September 16, 2020, the undersigned personally corresponded with Defendant regarding the contents of this Motion, in a good faith attempt to resolve the issues.

9. The Defendant, however, responded to the undersigned's good faith attempt to resolve these discovery issues without the necessity of this Court's intervention in a flippant and cavalier manner.

10. Upon the undersigned requesting that the Defendant immediately provide responses to the aforementioned discovery requests, the Defendant responded that he has been "under medical care and cannot type"—yet he *typed* a four sentence email to the undersigned, thereby rebutting his unsupported assertion that he cannot provide discovery due to not being able to type. This email correspondence is attached hereto and made a part hereof as Exhibit A.

11. The undersigned then advised the Defendant that it was preferred not to bother this Court with unnecessary motions. The Defendant, continuing his dismissive approach to the discovery process and good faith attempt by the undersigned to not waste judicial resources, responded with "[f]ile away....)." This email correspondence is attached hereto and attached hereof as Exhibit B.

12. Lastly, despite earlier advising that he could not comply with the pending discovery requests because he has been "under medical care and cannot type," the Defendant proceeded to *type* a lengthy, rambling email to the undersigned, that indicated, among many other random things, that he is "refusing to comply" with the pending discovery requests and good faith attempt

to resolve the issue without the necessity of Court intervention. This email correspondence is attached hereto and made a part hereof as Exhibit C.

13. The fact that the Defendant could write his mini diatribe, unsolicited by the undersigned who was simply attempting to secure overdue discovery responses without the need to burden this Court with a formal motion, further evidences the Defendant's trivialization of the discovery and legal processes. Additionally, it clearly exemplifies the fact that the Defendant can most certainly respond to the pending discovery requests, despite his frivolous assertion that he "cannot type" (despite seemingly being just fine in *typing* emails to the undersigned, including the rant set forth in Exhibit C).

14. Unfortunately, the Defendant's clearly conveyed message that he will not comply with the pending discovery requests, thereby prejudicing the Plaintiff's prosecution of this claim, necessitates the filing of this Motion and Court intervention to compel the Defendant to provide responses immediately.

WHEREFORE, the Plaintiff requests this Honorable Court to enter an Order compelling the Defendant to immediately provide answers to the written interrogatories dated August 7, 2020, and to produce the documents requested in the Request for Production dated August 7, 2020, and for any other relief this Court deems just and proper.

DATED this 17<sup>th</sup> day of September, 2020.

KELLEY KRONENBERG, PA

*Counsel for Plaintiff*

10360 West State Road 84

Fort Lauderdale, FL 33324

Telephone No.: (954) 370-9970

Facsimile No.: (954) 382-1988

By: /s/ Dennis S. Klein

DENNIS S. KLEIN

Florida Bar No.: 91767

[dklein@kelleykronenberg.com](mailto:dklein@kelleykronenberg.com)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 17th day of September, 2020, this document was filed using the Florida Courts E-Filing Portal. This document is being served on all counsel and pro se parties of record by the Florida Courts E-Filing Portal, pursuant to and in compliance with Fla. R. Jud. Admin. 2.516. The mailing and electronic addresses are: Thomas Schoenberger, (*pro se Defendant*) at tstger13@gmail.com, 1726 Willowbrook Drive, Provo, UT 84604.

By: /s/ Dennis S. Klein  
DENNIS S. KLEIN

**Exhibit A**

**From:** Parody Lives <tstger13@gmail.com>  
**Date:** September 16, 2020 at 1:02:38 PM EDT  
**To:** "Dennis S. Klein" <dklein@kelleykronenberg.com>  
**Subject:** Re: Discovery Response

As I indicated in my testimony, I have been under medical care and cannot type. You will see my response in the next supplemental.

Since you openly mocked my injuries in court, my course of action is to provide medical evidence, irrefutable evidence,

Since your client has a history of stalking me, and invading my privacy, and then claiming to be the victim, and since you openly stated you doubt my injuries, you can expect my supplemental within days.

Cordially,  
Thomas Schoenberger.

On Wed, Sep 16, 2020 at 8:38 AM Dennis S. Klein <dklein@kelleykronenberg.com> wrote:

You have failed to respond to my discovery requests, submitted on August 7, 2020. Under the Court's procedures, I am obligated to confer with you before filing a motion with the Court. This email is a good faith attempt to confer with you on your failure to provide discovery. Unless this discovery is immediately responded to, then I will move forward and file a motion based upon your failure to make discovery.

**Dennis S. Klein**  
**Partner**  
**Kelley Kronenberg**  
10360 West State Road 84 |  
Ft. Lauderdale | FL 33324  
954.370.9970 | Office  
786.577.7060 | Direct  
917.287.4425 | Cell  
954.382.1988 | Fax  
[Biography](#) | [Website](#) | [Email](#) | [LinkedIn](#)

Important - Kelley Kronenberg utilizes spam and junk email filtration applications in its email information systems. These systems may prevent or delay delivery of certain email communications. If you do not receive a timely response to an email communication, please contact the intended recipient via phone in one of our office locations available [here](#).

The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. Thank you.

NOT A CERTIFIED COPY

**Exhibit B**

**From:** Parody Lives <tstger13@gmail.com>  
**Date:** September 16, 2020 at 1:19:33 PM EDT  
**To:** "Dennis S. Klein" <dklein@kelleykronenberg.com>  
**Subject: Re: Discovery Response**

File away....)

On Wed, Sep 16, 2020 at 10:10 AM Dennis S. Klein <dklein@kelleykronenberg.com> wrote:  
I will file the motion. If you comply appropriately, I will withdraw the motion.

I will not burden the Judge with unnecessary motions if you comply.

**Dennis S. Klein**

**Partner**

**Kelley Kronenberg**

10360 West State Road 84 |

Ft. Lauderdale| FL 33324

954.370.9970|Office

786.577.7060|Direct

917.287.4425|Cell

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**Exhibit C**

**From:** Parody Lives <tstger13@gmail.com>  
**Date:** September 16, 2020 at 4:19:37 PM EDT  
**To:** "Dennis S. Klein" <dklein@kelleykronenberg.com>  
**Subject: I am also alerting you**

During discovery, my concentration will be on Mr. Hoffman's business associates and hedge fund activities and social circle in P.B.

I wish to find out why your client viciously attacked me out of nowhere, so my concentration will be on doing discovery and deposing his business associates and more.

My best friend was the former Dep. Director of the C.I.A.

I already know a great deal more than you think. Unlike your client, I work within the framework of the law.

Please file that motion. I am refusing to comply, based on medical reasons. Meanwhile, prepare your client for an audit by the Government. If he is clean, then all is good.

The gall of you questioning my medical condition was really quite blunderous, as was your last minute motion on Reagan, who was calling out your client before I ever knew her.

The judges are aware of your pushy arrogance. You must surely be aware,

I will defend myself and you are starting to see I do not back down.

Since Mr Hoffman's partners Esteban and Defango are mixed up in this thing, I have eyes in places you do not expect.

Once again, these are not empty treats. It will all be done legally, and via the courts.

Read your Cicero. The more vehement the rhetoric, the weaker the cause,

YOUR CLIENT IS THE BULLY. IT WILL BE SIMPLE TO PROVE. THEN HE GETS HIS BOOKS OPEN AS HE IS SLAPPED WITH A CLASS ACTION FOR 100 MILLION. I KID YOU NOT. MANY OF GABE'S VICTIMS ARE COOPERATING.

HE CAN DROP THE SUIT OR KEEP GOING. HE WILL NOT LIKE WHERE THIS GOES.,

Thomas Schoenberger.