## IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA PROBATE DIVISION

IN RE: Guardianship of

Case No.:

2008-GA-2297

SARAH ELISABETH WURZBACH,

Division:

r

the Ward.

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## MOTION TO COMPEL

SYNOVUS TRUST COMPANY, N.A., Guardian of the Property of SARAH ELISABETH WURZBACH (the Ward), by and through its undersigned counsel, requests this Court issue an order compelling SARAH ELISABETH WURZBACH (the Ward) to produce records, and as grounds states:

- 1. The Guardian served a *Third Request for Production* to the Ward on July 30, 2021 (docket #473), requesting "all account statements for the period of September 25, 2018 through the present for the Pen Air Federal Credit Union account ending in 5683".
- 2. The response was due by August 29, 2021; however, no response was received. Thus, on September 10, 2021, the undersigned sent a follow up request to the Ward for a response.
- 3. An *Objection to Third Request for Production* was filed by the Ward's counsel on September 17, 2021 (docket #483). This Objection was untimely. The objection claims that "the guardian does not have to further account for that \$5,000 disbursement" and that "the Request is overbroad because such account surely has nothing to do with the issue at hand".
- 4. The requested documents are relevant to the numerous issues in this case, including, but not limited to, the Ward's request for an increased budget for double the amount currently provided, the Ward's and her husband's purchase of a 2019 Nissan Titan without Court permission, the Ward's husband's purchase of another Titan within three months after the Ward

was allocated the \$5,000 for a savings account, and the Ward's handling of the Foxy horse expense account.

- 5. The Ward's ability to handle any assets entrusted to her is certainly germane to issues before the Court.
- 6. Nothing in the Court's order of September 23, 2018 stated that the Guardian could not later use discovery to determine how the money was used.

WHEREFORE, SYNOVUS TRUST COMPANY, N.A., requests that this Court issue an order compelling SARAH ELISABETH WURZBACH to produce the requested statements from Pen Air Federal Credit Union.

Signed this day of September, 2021.

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Attorney for Guardian

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this day of September, 2021, a true and correct copy of the foregoing was furnished to the following individuals:

Steven E. Quinnell 913 Gulf Breeze Pkwy, #8

Gulf Breeze, Florida 32561

Via e-service: efiling@qlawflorida.com and squinnell@qlawflorida.com

Attorney for the Ward

LOIS B. LEPP