

IN THE CHANCERY COURT OF LAFAYETTE COUNTY, MISSISSIPPI

ROBERT SULLIVANT SR.

PLAINTIFF

v.

CAUSE NO.: 2021 - 612 (W)

ROBERT SULLIVANT JR.

DEFENDANT

AND

ROBERT SULLIVANT JR.

COUNTER-PLAINTIFF AND
THIRD-PARTY PLAINTIFF

v.

ROBERT SULLIVANT SR.

COUNTER-DEFENDANT

and

EVELYN STEVENS

THIRD-PARTY DEFENDANT

**THIRD-PARTY DEFENDANT'S RESPONSES TO THIRD PARTY PLAINTIFF'S
FIRST SET OF INTERROGATORIES, REQUESTS FOR PRODUCTION OF
DOCUMENTS AND REQUESTS FOR ADMISSION**

COMES NOW, the Third-Party Defendant, Evelyn Stevens (hereinafter "Evelyn"), by and through counsel, and files this her *Third-Party Defendant's Response to Third Party Plaintiff's First Set of Interrogatories, Requests for Production of Documents, and Requests for Admission Propounded to Third-Party Defendant* in conformity with the Mississippi Rules of Civil Procedure, and would show as follows, to-wit:

INTERROGATORIES

INTERROGATORY NO: 1: How long have you been working with SR?

RESPONSE: Objection. Interrogatory No: 1 is overly broad, unduly burdensome, impermissibly compound, implicates attorney work product, and implicates attorney-client

privilege. Without waiving any objections, Evelyn states she has worked with SR since approximately 2021.

INTERROGATORY NO: 2: Prior to June of 2021, had SR ever discussed revoking the POA?

RESPONSE: Objection. Interrogatory No. 2 is overly broad, unduly burdensome, impermissibly compound, implicates attorney work product, and implicates attorney-client privilege. Without waiving any objections, Evelyn states she does not remember or recall any such conversations.

INTERROGATORY NO: 3: How are you compensated by SR?

RESPONSE: Objection. Interrogatory No. 3 is overly broad, unduly burdensome, impermissibly compound, implicates attorney work product, implicates attorney-client privilege, and not reasonably calculated to lead to discoverable material in this matter. Without waiving any objections, Evelyn states the only compensation she has received from SR was the transfer of a 2015 Buick La Crosse.

INTERROGATORY NO: 4: How many meetings, virtual, in person, or telephonically, have you had with Swayze Alford?

RESPONSE: Objection. Interrogatory No. 4 is overly broad, unduly burdensome, impermissibly compound, and not reasonably calculated to lead to discoverable material in this matter. Without waiving any objections, Evelyn states that she has three (3) or four (4) meetings with Swayze Alford to discuss the transport and court dates of SR.

INTERROGATORY NO: 5: Whose idea was it to purchase the truck that had your name on it?

RESPONSE: Objection. Interrogatory No. 5 is overly broad, unduly burdensome, impermissibly compound, implicates attorney work product, and implicates attorney-client privilege. Without waiving any objections, Evelyn states that it was SR's idea.

INTERROGATORY NO: 6: Please list all the gifts you have received from SR since you have met him.

RESPONSE: Objection. Interrogatory No. 6 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states she has not received any gifts.

INTERROGATORY NO: 7: Please state how many times you and SR ate at "Coleman's BBQ"?

RESPONSE: Objection. Interrogatory No. 7 is overly broad, unduly burdensome, impermissibly compound, implicates attorney work product, and implicates attorney-client privilege. Without waiving any objections, Evelyn states they ate at "Coleman's BBQ" about eight (8) times after dermatologist or other medical appointments.

INTERROGATORY NO: 8: Please explain why you blocked JR's phone number from SR's phone.

RESPONSE: Objection. Interrogatory No. 8 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states she does not recall blocking the phone number.

INTERROGATORY NO: 9: When did you first learn that JR and SR had a POA?

RESPONSE: Objection. Interrogatory No. 9 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states she does not recall.

INTERROGATORY NO: 10: Please explain how you came into possession of the POA?

RESPONSE: Objection. Interrogatory No. 10 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states SR gave her a copy.

INTERROGATORY NO: 11: Please explain why you failed to notify JR that SR was transferring the subject funds.

RESPONSE: Objection. Interrogatory No. 11 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states she does not recall making any decision to notify or not notify JR about any transfer of funds by SR.

INTERROGATORY NO: 12: Please explain why you would bring your granddaughter to visit with SR?

RESPONSE: Objection. Interrogatory No.12 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states she brought her granddaughter to visit with SR because SR wanted to see her.

INTERROGATORY NO: 13: In your previous deposition (Exhibit 1), you stated you last worked for JR on June 16, 2021, and you began working for SR on July 4 or 5, 2021. Please describe any meetings or communications between you and SR during this window of time.

RESPONSE: Objection. Interrogatory No.13 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states that she met with SR during this window of time but does not recall the substance of those meetings. Evelyn states during this window she told SR that she would not be able to work for him anymore because JR could not pay her.

INTERROGATORY NO: 14: Please explain how you came to work for SR again beginning on July 4 or 5, 2021.

RESPONSE: Objection. Interrogatory No.14 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states that on July 4 or 5, 2021, SR told her he would pay her.

INTERROGATORY NO: 15: Please explain why you suddenly stopped working for and communicating with JR with no notice.

RESPONSE: Objection. Interrogatory No.15 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states she stopped working and communicating with JR because JR told her he could not afford to pay her any longer.

INTERROGATORY NO: 16: Explain why you attended meetings between Mr. Alford and SR?

RESPONSE: Objection. Interrogatory No.16 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states that she drove SR to the meetings.

INTERROGATORY NO: 17: What input did you provide at these meetings to Mr. Alford?

RESPONSE: Objection. Interrogatory No.17 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states she gave no input.

INTERROGATORY NO: 18: What was the purpose of you scheduling the initial appointment with Mr. Alford?

RESPONSE: Objection. Interrogatory No. 18 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states that SR requested it.

INTERROGATORY NO. 19: Whose idea was it to put your name on the two FNB accounts?

RESPONSE: Objection. Interrogatory No. 19 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states it was SR's idea.

INTERROGATORY NO. 20: What was decided in the initial meeting between Mr. Alford and SR, at which you were present?

RESPONSE: Objection. Interrogatory No. 20 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states she does not remember precisely, but she recalls it may have been for SR to hire Mr. Alford to represent SR.

INTERROGATORY NO. 21: Did SR instruct you to block my phone number?

RESPONSE: Objection. Interrogatory No. 21 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states that to her recollection, SR did not instruct her to block the phone number.

INTERROGATORY NO. 22: How did Mr. Alford assist you in preparing for your deposition in this matter?

RESPONSE: Objection. Interrogatory No. 22 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states Mr. Alford did not assist her.

INTERROGATORY NO. 23: Did Mr. Alford provide you with any advice for your deposition?

RESPONSE: Objection. Interrogatory No. 23 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states the only advice Mr. Alford gave her was to keep her answers to the point.

INTERROGATORY NO. 24: Did you ever tell Mr. Alford that JR stole money from SR?

RESPONSE: Objection. Interrogatory No. 24 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states she does not recall telling Mr. Alford that JR stole money from SR.

INTERROGATORY NO. 25: Did Mr. Alford ask you if JR had received notification of the POA revocation?

RESPONSE: Objection. Interrogatory No. 25 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states she does not recall.

INTERROGATORY NO. 26: How much cash have you been paid by SR since you stopped working for JR?

RESPONSE: Objection. Interrogatory No. 26 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states she has not been paid in cash by SR since she stopped working for JR.

INTERROGATORY NO. 27: Please state the last employer you received a W-9 tax form from.

RESPONSE: Objection. Interrogatory No. 27 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states she does not recall the last employer from whom she received a W-9 tax form.

INTERROGATORY NO. 28: How many conversations have you had with Calvin Vick outside the presence of SR?

RESPONSE: Objection. Interrogatory No. 28 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states she has had two (2) or three (3) conversations with Calvin Vick outside the presence of SR.

INTERROGATORY NO. 29: Did Mr. Alford ever state to you that the POA was not legally revoked?

RESPONSE: Objection. Interrogatory No. 29 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states Mr. Alford never stated that the POA was not legally revoked.

INTERROGATORY NO. 30: Did Mr. Alford suggest that SR, through him as counsel, assert to the court that JR went to Region's Bank in Batesville and was notified by an employee of the revocation of the POA?

RESPONSE: Objection. Interrogatory No. 30 is overly broad, unduly burdensome, and impermissibly compound. Without waiving any objections, Evelyn states Mr. Alford did not suggest that SR assert to the court that JR went to Region's Bank in Batesville and was notified by an employee of the revocation of the POA.

REQUESTS FOR PRODUCTION

REQUEST NO. 1: Any emails and/or text messages between yourself and Mr. Alford.

RESPONSE: Objection. Request No. 1 is overly broad, unduly burdensome, impermissibly compound, implicates attorney work product, and implicates attorney-client

privilege. Without waiving any objections, Evelyn states that any such documents which exist and are discoverable will be produced.

REQUEST NO. 2: Documents relating to any compensation you have received from SR.

RESPONSE: Objection. Request No. 2 is overly broad, unduly burdensome, impermissibly compound, implicates attorney work product, and implicates attorney-client privilege. Without waiving any objections, Evelyn states that any such documents which exist and are discoverable will be produced.

REQUEST NO. 3: Any documents that demonstrate your employment relationship with SR.

RESPONSE: Objection. Request No. 3 is overly broad, unduly burdensome, impermissibly compound, implicates attorney work product, and implicates attorney-client privilege. Without waiving any objections, Evelyn states that any such documents which exist and are discoverable will be produced.

REQUEST NO. 4: Please produce your full tax returns from the years 2020, 2021, and 2022.

RESPONSE: Objection. Request No. 4 is overly broad, unduly burdensome, impermissibly compound, implicates attorney work product, and implicates attorney-client privilege. Without waiving any objections, Evelyn states that any such documents which exist and are discoverable will be produced.

REQUEST NO. 5: Produce any documents that show that you are currently employed.

RESPONSE: Objection. Request No. 5 is overly broad, unduly burdensome, impermissibly compound, implicates attorney work product, and implicates attorney-client

privilege. Without waiving any objections, Evelyn states that any such documents which exist and are discoverable will be produced.

REQUEST NO. 6: Produce any documents in your possession related to the truck purchase made by SR, and which your name was placed on.

RESPONSE: Objection. Request No. 6 is overly broad, unduly burdensome, impermissibly compound, implicates attorney work product, and implicates attorney-client privilege. Without waiving any objections, Evelyn states that any such documents which exist and are discoverable will be produced.

REQUEST NO. 7: Produce records of any gifts you have received from SR.

RESPONSE: Objection. Request No. 7 is overly broad, unduly burdensome, impermissibly compound, implicates attorney work product, and implicates attorney-client privilege. Without waiving any objections, Evelyn states that any such documents which exist and are discoverable will be produced.

REQUEST NO. 8: Produce any notes or documents relating to your meetings with Swayze Alford.

RESPONSE: Objection. Request No. 8 is overly broad, unduly burdensome, impermissibly compound, implicates attorney work product, and implicates attorney-client privilege. Without waiving any objections, Evelyn states that any such documents which exist and are discoverable will be produced.

REQUEST NO. 9: Produce any communications between you and SR where you discuss any of the following:

A) Anything related to JR.

B) Anything related to the Subject Funds.

C) Anything related to the POA.

RESPONSE: Objection. Request No. 9 is overly broad, unduly burdensome, impermissibly compound, implicates attorney work product, and implicates attorney-client privilege. Without waiving any objections, Evelyn states that any such documents which exist and are discoverable will be produced.

REQUEST NO. 10: Please produce any documents that support the allegation in your Answer that this lawsuit against you is, “illegal, improper, and a perverted use of the justice system.”

RESPONSE: Objection. Request No. 10 is overly broad, unduly burdensome, impermissibly compound, implicates attorney work product, and implicates attorney-client privilege. Without waiving any objections, Evelyn states that any such documents which exist and are discoverable will be produced.

REQUEST NO. 11: Produce any documents you intend to rely upon to support any of the affirmative defenses raised in your answer.

RESPONSE: Objection. Request No. 11 is overly broad, unduly burdensome, impermissibly compound, implicates attorney work product, and implicates attorney-client privilege. Without waiving any objections, Evelyn states that any such documents which exist and are discoverable will be produced.

REQUEST NO. 13: Produce the title to the Buick LaSabre that has your name on it.

RESPONSE: Objection. Request No. 13 is overly broad, unduly burdensome, impermissibly compound, implicates attorney work product, and implicates attorney-client

privilege. Without waiving any objections, Evelyn states that any such documents which exist and are discoverable will be produced.

REQUEST NO. 14: Produce the insurance policy currently on the Buick LeSabre.

RESPONSE: Objection. Request No. 14 is overly broad, unduly burdensome, impermissibly compound, implicates attorney work product, and implicates attorney-client privilege. Without waiving any objections, Evelyn states that any such documents which exist and are discoverable will be produced.

REQUEST NO. 15: Produce any wills or last testaments that have been provided to you that have been executed by SR after January 1, 2023.

RESPONSE: Objection. Request No. 15 is overly broad, unduly burdensome, impermissibly compound, implicates attorney work product, and implicates attorney-client privilege. Without waiving any objections, Evelyn states that any such documents which exist and are discoverable will be produced.

REQUESTS FOR ADMISSIONS

REQUEST NO. 1: Admit that you were aware that SR was victimized by financial scams prior to revoking the POA.

RESPONSE: Denied

REQUEST NO. 2: Admit that you setup the initial appointment with Swayze Alford and SR.

RESPONSE: Admitted that Evelyn scheduled the initial appointment for SR with Swayze Alford at SR's request.

REQUEST NO. 3: Admit that you were present at that initial meeting at Swayze's Alford's office on June 24th, 2021.

RESPONSE: Admitted

REQUEST NO. 4: Admit that it was your idea to withdraw the subject funds.

RESPONSE: Denied

REQUEST NO. 5: Admit that you accompanied SR to the bank to withdraw the subject funds.

RESPONSE: Denied

REQUEST NO. 6: Admit that you influenced SR to sue JR.

RESPONSE: Denied

REQUEST NO. 7: Admit that you informed SR that JR was stealing from him.

RESPONSE: Denied

REQUEST NO. 8: Admit that you informed SR that one hundred percent of the subject funds belonged to him.

RESPONSE: Denied

REQUEST NO. 9: Admit that you have been present at numerous meetings between Mr. Alford and SR.

RESPONSE: Admitted that Evelyn has been at meetings, but she cannot recall the exact number to define them as numerous.

REQUEST NO. 10: Admit that you have never had an attorney/client relationship with Mr. Alford.

RESPONSE: Admitted

REQUEST NO. 11: Admit that it was your idea to revoke the POA.

RESPONSE: Denied

REQUEST NO. 12: Admit that you never explained to SR that the subject funds were joint.

RESPONSE: Denied. The account was closed prior to my knowledge that the account existed.

REQUEST NO. 13: Admit that you knew that SR was briefly residing at Calvin Vick's residence.

RESPONSE: Admitted

REQUEST NO. 14: Admit that you knew of SR's intentions of residing at Calvin Vick's residence before SR resided there.

RESPONSE: Denied

REQUEST NO. 15: Admit that you and SR browsed homes for sale on the internet while you worked for JR at the Crawford house in 2021.

RESPONSE: Admitted

REQUEST NO. 16: Admit that you drove SR to look at a house to buy around the time referenced in #15.

RESPONSE: Admitted

REQUEST NO. 17: Admit that you have the ability to influence SRs decisions.

RESPONSE: Denied

REQUEST NO. 18: Admit that you have been aware that SR has had dementia the entire time you have known him.

RESPONSE: Denied

REQUEST NO. 19: Admit that you were involved in the decision to purchase the truck that was put in your name.

RESPONSE: Denied

REQUEST NO. 20: Admit that you knew at all times that the subject funds were joint funds between the parties.

RESPONSE: Denied

REQUEST NO. 21: Admit that you do not track your hours worked for SR.

RESPONSE: Admitted

REQUEST NO. 22: Admit that there is no record that you are employed by SR.

RESPONSE: Denied, Evelyn is unaware what records SR has in regards to her employment, but Evelyn admits she has not documents associated with her employment by SR

REQUEST NO. 23: Admit that you and Mr. Alford have had conversations outside the presence of SR.

RESPONSE: Admitted, but said conversations were limited to topics regarding appointment times and transportation or similar needs of SR

REQUEST NO. 24: Admit that you blocked JR's phone number from SR's phone.

RESPONSE: Denied

REQUEST NO. 25: Admit that you knew prior to the withdrawal of the subject funds, that 50% of the funds belonged to JR.

RESPONSE: Denied

REQUEST NO. 26: Admit that you drove SR to Jay Westfaul's office in Batesville to discuss revoking the POA.

RESPONSE: Admitted

REQUEST NO. 27: Admit that you sat in on the meeting with attorney Jay Westfaul and SR to discuss revoking JR's POA.

RESPONSE: Admitted

REQUEST NO. 28: Admit that while working for JR you informed SR that JR wanted to place him into a conservatorship.

RESPONSE: Admitted

REQUEST NO. 29: Admit that you and SR met at Jackson Loop park area on June 24th, 2021, the day you took him to meet with Mr. Alford for the first time.

RESPONSE: Denied

REQUEST NO. 30: Admit that you were no longer working at the Crawford residence when you took SR to meet with Mr. Alford.

RESPONSE: Admitted

REQUEST NO. 31: Admit that you would have meetings with SR in June and July 2021 before SR moved to The Elison, away from SR's residence.

RESPONSE: Denied as stated. Evelyn admits she had conversations with SR during this time period as that is when she informed SR she would no longer be assisting him because JR could no longer pay her, and she had a conversation with SR where he told Evelyn that he would pay her for her assistance.

REQUEST NO. 32: Admit that during the meetings in #31 you would drive SR around

North Mississippi for hours.

RESPONSE: Denied

REQUEST NO. 33: Admit that in the November 15th, 2022 deposition you did not admit to the actions of described in #31?

RESPONSE: Admitted

REQUEST NO. 34: Admit that in the November 15th, 2022 deposition you perjured yourself when you did not admit that you did not meet with SR between June 16th, 2021 and when he moved into The Elison.

RESPONSE: Denied

REQUEST NO. 35: Admit that you encouraged SR to move out of the Crawford residence.

RESPONSE: Denied

REQUEST NO. 36: Admit that when JR called you to confirm your deposition in this matter, you hung up the phone on him.

RESPONSE: Denied; Evelyn's phone lost service during the call and disconnected.

REQUEST NO. 37: Admit that you knew that SR's funds at FNB were the proceeds from a land sale.

RESPONSE: Admitted

REQUEST NO. 38: Admit that you knew SR's funds at FNB were protected by a court order.

RESPONSE: Denied

REQUEST NO. 39: Admit that you knew the funds to buy the pick up truck were from

SR's funds at FNB.

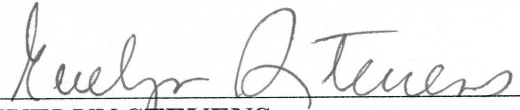
RESPONSE: Admitted

REQUEST NO. 40: Admit that Swayze Alford reviewed the above answers to admissions and advise on the construction of the above answers to admissions.

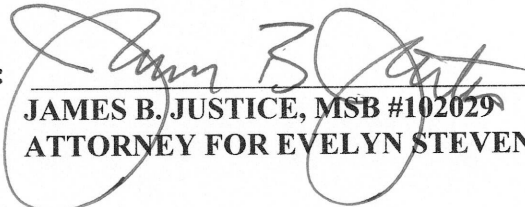
RESPONSE: Denied

RESPECTFULLY SUBMITTED,

INTERROGATORY RESPONSES BY:


EVELYN STEVENS

OBJECTIONS BY:


JAMES B. JUSTICE, MSB #102029
ATTORNEY FOR EVELYN STEVENS

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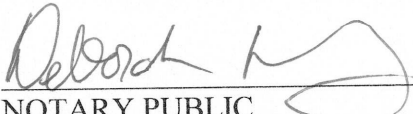
STATE OF MISSISSIPPI
COUNTY OF LAFAYETTE

PERSONALLY APPEARED BEFORE ME, a notary public in and for said state and county, duly commissioned and qualified, EVELYN STEVENS, personally known to me or proved to me to be said person based upon satisfactory evidence, who executed the foregoing *Third-Party Defendant's Response to Plaintiff's First Set of Interrogatories* in my presence, and did so as her own free act and deed for the purposes stated therein and swearing hereby, under oath, that the facts and matters alleged therein are true and correct to the best of her knowledge.

WITNESS my hand and notarial seal of office on this the 27th day of September, 2023.

My Commission Expires:

February 26, 2027


NOTARY PUBLIC



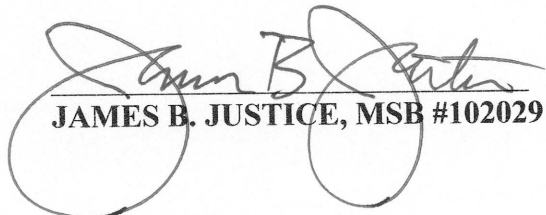
CERTIFICATE OF SERVICE

I, James B. Justice, attorney for Evelyn Stevens, do hereby certify that I have this day served a true and correct copy of the foregoing document to all counsel of record or parties by either a) placing a copy of same in the United States Mail, postage prepaid, b) submitting them via confirmed facsimile, c) submitting them via electronic mail:

Swayze Alford
Kayla Ware
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1002 Crawford Cir.
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SO CERTIFIED this the 27th day of September, 2023.


JAMES B. JUSTICE, MSB #102029