

STATE OF OKLAHOMA } S.S.  
CLEVELAND COUNTY }  
FILED

IN THE DISTRICT COURT OF CLEVELAND COUNTY OCT 18 2022  
STATE OF OKLAHOMA

Tassie Katherine Hirschfield, et al. )  
 )  
 Plaintiffs, )  
 )  
 vs. )  
 )  
 Oklahoma Turnpike Authority, an agency )  
 of the State of Oklahoma, et al. )  
 )  
 Defendants. )

In the office of the  
Court Clerk MARILYN WILLIAMS

Case No. CV-2022-1905

**SUPPLEMENT TO PLAINTIFFS' MOTION**  
**TO ALLOW DEPOSITIONS**

Plaintiffs by and through their counsel of record file the foregoing Supplement to their Motion to Allow Depositions.

1. Earlier in the day on Oct. 18, the undersigned filed a Motion to Allow the Deposition of Jenny Johnson.
2. Since the filing of the initial Motion, the undersigned have learned additional facts. The undersigned have extracted metadata from the agenda items posted on OTA's website. The OTA has relied on these agenda items to buttress its contention that it has complied with the OMA.
3. The metadata shows the following: the Agenda for the January 25 meeting was created on 1/18/2022 by Todd Gore<sup>1</sup>, but modified on 2/13/2022. The Agenda for the February 22 meeting was created on 2/17/2022 by Jenny Johnson, but modified on 2/23/2022.
4. Thus, the case of both the January and the February agenda, the metadata shows that the agendas were modified and re-uploaded to the OTA website **after** the meetings took place.

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<sup>1</sup> An search of OTA's website indicates that Todd Gore is an OTA employee.

5. Compliance with the OMA by posting the agendas is at the heart of Plaintiffs' case.

**WHEREFORE**, the undersigned ask that the Court order Defendant to produce Jenny Johnson and Todd Gore. The undersigned further request that the Court order Defendant to produce the original Agendas for the January and the February meeting that were posted to the OTA website **before** the respective meetings took place.

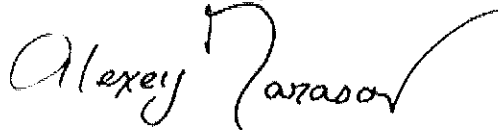
Dated October 18, 2022.



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**ATTORNEYS FOR PLAINTIFFS**

## CERTIFICATE OF SERVICE

On October 18, 2022, a true and correct copy of the foregoing was e-mailed/mailed via USPS to the following counsel for Defendants:

Phillip Whaley  
Ryan Whaley  
400 North Walnut Avenue  
Oklahoma City, OK 73104



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richard@labarthelaw.com

# Preflight Summary Report for: 25January2022\_Agenda.pdf

# EXHIBIT "A"

Profile: List page objects, grouped by type of object (Processed pages 1 to 47)

Processed by aleks, Date: 10/18/2022 1:44 PM

## Results (Summary)

### Info

- Annotation inside page area (2 matches on 1 page) - 2
- Resolution of color and grayscale images is between 120 and 150 ppi (2 matches on 2 pages) - 39, 40
- Resolution of color and grayscale images is between 150 and 250 ppi (3 matches on 3 pages) - 1, 40, 41
- Resolution of color and grayscale images is greater than 250 ppi (2 matches on 2 pages) - 6, 41
- Text objects (4774 matches on 40 pages) - 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37...
- Vector objects (filled) (3802 matches on 38 pages) - 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42...
- Vector objects (stroked) (1 match on 1 page) - 1

## Document information

File name: "25January2022\_Agenda.pdf"

Path: "C:\Users\aleks\Downloads"

PDF version number: "1.7"

File size (MB): 1.6

Author: "Gore, Todd"

Creator: "Acrobat PDFMaker 15 for Excel"

Producer: "Adobe PDF Library 15.0"

Created: "1/18/2022 8:21 AM"

Modified: "2/13/2022 9:38 PM"

Trapping: "Unknown"

### Additional actions

Page open action

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# Preflight Summary Report for: February 22 2022 Agenda.pdf

# EXHIBIT "B"

Profile: List page objects, grouped by type of object (Processed pages 1 to 52)

Processed by aleks, Date: 10/18/2022 2:17 PM

## Results (Summary)

### Info

- Annotation inside page area (2 matches on 1 page) - 2
- Resolution of color and grayscale images is between 120 and 150 ppi (2 matches on 2 pages) - 44, 45
- Resolution of color and grayscale images is between 150 and 250 ppi (4 matches on 3 pages) - 1, 45, 46
- Resolution of color and grayscale images is greater than 250 ppi (1 match on 1 page) - 6
- Text objects (6424 matches on 51 pages) - 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37...
- Vector objects (filled) (314 matches on 48 pages) - 1, 2, 3, 4, 5, 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36...
- Vector objects (stroked) (1 match on 1 page) - 1

## Document information

File name: "February 22 2022 Agenda.pdf"

Path: "C:\Users\aleks\Desktop"

PDF version number: "1.7"

File size (MB): 1.8

Title: "February 2022"

Author: "jjohnson"

Creator: "Microsoft® Word 2016"

Producer: "Microsoft® Word 2016"

Created: "2/17/2022 10:56 AM"

Modified: "2/23/2022 3:09 PM"

Trapping: "Unknown"

### Additional actions

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# Preflight Summary Report for: February 22 2022 Agenda.pdf

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Number of plates: 4

Names of plates: "(Cyan) (Magenta) (Yellow) (Black) "

## Environment

Preflight, 18.6.0 (266)

Acrobat version: 22.003

Operating system: Microsoft Windows 10 Home Edition (Build 22000)