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IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, IN AND FOR ST. JOHNS COUNTY, FLORIDA

CASE NO.: 2025-CA-001320A000MX

BRADLEY BYRD, an individual, and ANNA BYRD, an individual,

Plaintiffs,

v.

COSTCO WHOLESALE CORPORATION, a foreign for profit corporation, COSTCO-INNOVEL SOLUTIONS, LLC, d/b/a COSTCO WHOLESALE LOGISTICS, a foreign limited Liability company, and RXO LAST MILE, INC., a foreign for profit corporation,

Defendants.
_____/

DEFENDANT COSTCO WHOLESALE CORPORATION'S THIRD SUPPLEMENTAL RESPONSE TO PLAINTIFFS' FIRST REQUEST FOR PRODUCTION

Defendant, Costco Wholesale Corporation (Costco) supplements responses to Plaintiffs' First Request for Production and states:

2. All documents reflecting communications between You and/or any other Defendant, and/or any other Person relating to the allegations in the Complaint.

RESPONSE: Objection, this request is non-specific, overbroad, ambiguous, and vague regarding the phrase "all documents reflecting communications between You and/or any other Defendant, and/or any other Person relating to the allegations in the Complaint" per Rule 1.350 (b), Florida Rules of Civil Procedure; disproportional per Rule 1.280 (c), Fla. Rules of Civil Procedure, and the Court did not order production of claims files/claims communications. Without waiving these objections, see Privilege Log filed concurrently with this Response, and the following emails, attached as Exhibit A:

- **October 15, 2025**
- **October 8, 2025**
- **October 1, 2025**
- **September 30, 2025**
- **September 29, 2025**
- **September 19, 2025**

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- **September 16, 2025**
- **May 28, 2025**
- **May 5, 2025**
- **March 31, 2025**
- **March 27, 2025**
- **March 7, 2025**
- **March 4, 2025**
- **March 4, 2025**
- **February 27, 2025**
- **February 27, 2025**
- **February 26, 2025**
- **February 26, 2025**
- **December 2, 2024**

12. All documents related to communications between You, RXO, its employees, Plaintiffs, and any third parties regarding the Incident.

RESPONSE: Objection, this request is non-specific, overbroad, ambiguous, and vague regarding the phrase "related to communications between You, RXO, its employees, Plaintiffs, and any third parties…", per Rule 1.350 (b), Florida Rules of Civil Procedure; disproportional per Rule 1.280 (c), Fla. Rules of Civil Procedure, and the Court did not order production of claims files/claims communications. Without waiving these objections, see the Privilege Log filed concurrently with this Response, and the following emails, attached as Exhibit A:

- **October 15, 2025**
- **October 8, 2025**
- **October 1, 2025**
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- **September 29, 2025**
- **September 16, 2025**
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- **May 5, 2025**
- **March 31, 2025**
- **March 27, 2025**
- **March 7, 2025**
- **March 4, 2025**
- **March 4, 2025**
- **February 27, 2025**
- **February 27, 2025**
- **February 26, 2025**
- **February 26, 2025**
- **December 2, 2024**

18. All documents related to assessments or evaluations made by You, Your contractors, insurance adjusters, or other professionals regarding the installation of the Refrigerator and/or the Incident.

RESPONSE: Objection as said request is overbroad, ambiguous, and vague regarding the phrase "evaluations made by You, Your contractors, insurance adjusters, or other professionals regarding the installation of the Refrigerator…" per Rule 1.350 (b), Florida Rules of Civil Procedure; is disproportional per Rule 1.280 (c), Fla. Rules of Civil Procedure, and the Court did not order production of claims files/claims communications. Without waiving said objection, see Privilege Log concurrently filed with this Response, and the scope of work and estimate, attached hereto as Exhibit B.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to John D. "Jack" Webb, Esq., 1662 Stockton Street, Suite 201, Jacksonville, FL 32204, (Counsel for Plaintiff), jwebb@jackwebblaw.com; arichey@jackwebblaw.com, and Jupton@jackwebblaw.com, Heather L. Stover, Esq. and Richard S. Maselli, Esq., Ogden Sullivan, (Counsel or Defendant RXO), 5422 Bay Center Drive, Suite 100, Tampa, FL 33609, hstover@ogdensullivan.com, RMaselli@ogdensullivan.com, and Eservice@ogdensullivan.com, via Florida E-Portal, this 17th day of September, 2026.

JAKAB LAW, PLLC

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