

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

JERRY GREENBERG, individually,
and IDAZ GREENBERG, individually,

Plaintiffs,

vs.

NATIONAL GEOGRAPHIC
SOCIETY, a District of Columbia
corporation, NATIONAL GEOGRAPHIC
ENTERPRISES, INC., a corporation,
and MINDSCAPE, INC., a
California corporation,

Defendants.

CASE NO. 97-3924
CIV-LENARD
Magistrate Judge Turnoff

**PLAINTIFFS' REQUEST
FOR PRODUCTION OF
DOCUMENTS TO DEFENDANT
NATIONAL GEOGRAPHIC
SOCIETY**

Plaintiffs, Jerry Greenberg and Idaz Greenberg, pursuant to Rule 34, Federal Rules of Civil Procedure, request that Defendant, NATIONAL GEOGRAPHIC SOCIETY, produce the documents described in this request at the offices of Steel Hector & Davis, 200 South Biscayne Boulevard, Miami, Florida 33131, within 30 days of the service of this request, and then and there permit the plaintiffs and their attorneys, or any other person acting on their behalf, to inspect and copy the documents.

I.

DEFINITIONS

As used in this request, each of the following terms shall be considered as defined terms and shall have the meaning given to the terms in this section.

1. "Document" shall have its customary, broad sense to include written or graphic matter of every kind and description, whether printed or reproduced by any process, or written, and/or produced by hand, whether final or draft, original or reproduction, including but not limited to the following categories: letters, correspondence, memoranda of telephone or personal conversations, teletype or telefax messages, minutes or records of meetings, interoffice communications, memoranda, financial statements, ledgers, books of account, proposals, prospectuses, offers, orders, receipts, desk calendars, appointment books, diaries, and logs, (both in existence and stored in memory). "Document" includes the original of any document in whatever medium it may exist and any copy of such original, including a copy that differs in any way from such original.

2. "Society" refers to the National Geographic Society or any subsidiary or affiliate entity.

3. "Educational Insights" refers to Educational Insights, Inc. or any subsidiary or affiliate entity.

II.

INSTRUCTIONS

The plaintiffs' document requests shall be deemed to include any and all relevant documents in the possession, custody or control of the defendant NATIONAL GEOGRAPHIC SOCIETY, or any other agent acting on the defendant's behalf.

If the attorney-client privilege or any other privilege is claimed as to any document called for by this request, the response shall state the date of the document, the name and address of the person who prepared it, the person to whom it was directed or circulated, the name and address of the person now in possession of the document, a description of the subject matter of the document, and the specific nature of the privilege claimed with respect to the document.

Please segregate and label all documents produced to disclose the number of the request or requests to which each document pertains.

III.

DOCUMENTS REQUESTED

1. All contracts or agreements, to which the Society was or is a party, pertaining to the Educational Insights product addressed in Count I of the Amended Complaint.
2. All contracts or agreements, to which the Society was or is a party, pertaining to the Educational Insights product item called "Reefs and Oceans" and bearing identification number EI-7980.
3. All documents of any kind -- apart from the documents identified in requests 1 and 2 above -- referring or relating to the Educational Insights product addressed in Count I of the Amended Complaint, including but not limited to any instructions, materials, suggestions, plans or mock-ups provided to, or available to, the individuals who participated in preparation or production of the product.
4. All documents referring or relating to the use of any Society materials or works in the motion picture "Jaws."
5. The Jason Project brochure addressed in Count II of the Amended Complaint.

STEEL HECTOR & DAVIS

Attorneys for Plaintiffs

By: 

Norman Davis

Florida Bar No. 475335

David Aronberg, Esq.

Florida Bar No. 090565

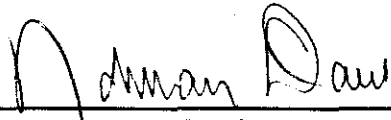
200 South Biscayne Blvd., 40th Fl.

Miami, Florida 33131-2398

(305) 577-2988

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing request for production of documents was served by mail on Edward Soto, Esq., Weil, Gotshal & Manges, LLP, 701 Brickell Avenue Boulevard, Suite 2100, Miami, Florida 33131; and via Federal Express on Robert G. Sugarman, Esq., Weil, Gotshal & Manges, LLP, 767 Fifth Avenue, New York, New York 10153, this 30th day of March, 1998.



Norman Davis

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