

IN THE PROBATE COURT OF SHELBY COUNTY, TENNESSEE

IN RE: MICHAEL JEROME WILLIAMS, JR.
A/K/A MICHAEL JEROME OHER

CAUSE NUMBER: C-010333
DEMAND FOR JURY TRIAL

MICHAEL JEROME OHER
WARD AND PETITIONER

**RESPONDENTS' ANSWERS TO FIRST SET OF INTERROGATORIES
PROPOUNDED TO CO-CONSERVATORS BY PETITIONER**

COMES NOW Respondents Sean Tuohy and wife Leigh Anne Tuohy by and through counsel, and file these Answers to the First Set of Interrogatories propounded to them.

INTERROGATORY NO. 1: Please state YOUR full name, date of birth, current address, and each address where YOU have lived for the past 8 years, occupation, social security number, and driver's license number.

ANSWER:

Sean A. Tuohy
DOB: 11/23/1959
Current address: 5854 Garden River Cv., Memphis, TN 38120-2501
Previous address: 6178 Shady Grove Ln., Memphis, TN 38120-3112
Occupation: business owner
SSN# and DL# for Sean Tuohy will be provided in a non-public manner.

Leigh Anne Tuohy
DOB: 8/9/1960
Current address: 5854 Garden River Cv., Memphis, TN 38120-2501
Previous address: 6178 Shady Grove Ln., Memphis, TN 38120-3112
Occupation: retired
SSN# and DL# for Leigh Anne Tuohy will be provided in a non-public manner.

INTERROGATORY NO. 2: Describe YOUR relationship with Michael Oher from 2004 through the present including, but not limited to, the legal standing you have

had regarding Michael Oher for each year.

ANSWER: Michael Oher periodically stayed in the Tuohy's home beginning in the fall of 2003 and then at some point moved in on a permanent basis prior to January of 2004.

INTERROGATORY NO. 3: Describe in detail the reasons why YOU sought conservatorship of Michael Oher.

ANSWER: The conservatorship was a vehicle which would allow Michael Oher to consider going to the University of Mississippi on a football scholarship. Absent a conservatorship or some other relationship, due to our standings as friends of the University, and/or boosters, Michael would have been ineligible to play college football had he chosen to go to the University of Mississippi.

INTERROGATORY NO. 4: Describe in detail all actions taken by YOU to prepare to become Co-Conservators of Michael Oher.

ANSWER: None

INTERROGATORY NO. 5: Describe in detail why YOU chose to obtain a conservatorship instead of formally adopting Michael Oher.

ANSWER: See Answer to No. 3 above.

INTERROGATORY NO. 6: Identify all instances, including but not limited to public speaking, YOUR blog, and MAKING IT HAPPEN FOUNDATION, where YOU have referred to Micheal Oher as your adopted son.

ANSWER: Objection. Overly broad and unduly burdensome. This Interrogatory is not calculated to lead to the discovery of admissible evidence. Without waiving said objection, the Tuohys have no specific recollection of ever referring to Mr. Oher as their

adopted son, although certainly they could have done so, and any representation of the effect would have been in the colloquial sense only. Mr. Oher's photo has appeared on Mrs. Tuohy's website. They had always felt that Mr. Oher was a part of their family.

INTERROGATORY NO. 7: Identify and describe all instances where YOU have received financial gain for referring to Michael Oher as your adopted son.

ANSWER: None.

INTERROGATORY NO. 8: Identify and describe all instances where YOU have received and expended monies from contracts and agreements RELATING TO or entered into by YOU on behalf of Michael Oher.

ANSWER: None

INTERROGATORY NO. 9: Describe in detail, including dates, all COMMUNICATIONS you have had with Michael Oher's mother, Denise Oher.

ANSWER: Denise Oher would appear at the Tuohy's home on a very sporadic basis during the time that Michael lived there. Additionally, the Tuohys would have seen Denise Oher and would perhaps exchange greetings when they would take Mr. Oher to his mother's home. Additionally, Denise Oher was in the court room on the date the proof was presented for the conservatorship.

INTERROGATORY NO. 10: For any and all expert witnesses who will testify in this CAUSE, please state the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

ANSWER: These Respondents have not sought the services of an expert witness at this time. Should an expert be retained the Respondents will file the appropriate Rule 26 disclosures.

INTERROGATORY NO. 11: For any and all expert witnesses who will testify in this CAUSE, please provide the following:

- a. the witness's qualifications (including a list of all publications authored in the previous ten years)
- b. a list of all other cases in which, during the previous four years, the witness testified as an expert; and
- c. a statement of the compensation to be paid for the study and testimony in the case.

ANSWER: These Respondents have not sought the services of an expert witness at this time. Should an expert be retained the Respondents will file the appropriate Rule 26 disclosures.

INTERROGATORY NO.12: If YOU or YOUR experts rely on any learned treatises in support of YOUR claims, state the following for each treatise:

- a. the exact title;
- b. the author(s);
- c. the date of execution or publication; and
- d. the specific pages upon which you or your experts rely.

ANSWER: The Tuohys have not relied on any treatises at this time. These Respondents have not sought the services of an expert witness at this time. Should an expert be retained the Respondents will file the appropriate Rule 26 disclosures.

INTERROGATORY NO.13: If YOU have ever been a party to another lawsuit, either as a plaintiff or defendant, state the date said action or actions were brought, the nature of the claim, the PERSON or entity against whom the claim was made, the

name of the action and the Court in which same was filed, and the ultimate disposition of the claim.

ANSWER: Mr. Tuohy's company, RGT Foods, Inc. was sued in a slip and fall case at one of the Taco Bell restaurants approximately 30 years ago. He gave a deposition in that matter.

INTERROGATORY NO. 14: Have YOU ever been convicted of, or pled guilty to, a crime in any state or federal court, including Youth Court? If so, please give details of each and every such conviction or guilty plea, the date of every such conviction or guilty plea, and the place of every such conviction or guilty plea.

ANSWER: No.

INTERROGATORY NO.15: Please list and identify any and all DOCUMENTS or other physical evidence that YOU expect to use at the trial of this CAUSE or that YOU expect to introduce into evidence at the trial of this CAUSE.

ANSWER: Objection. Attorney-client privilege and work product. Without waiving said objection, there has been no determination about any documents to be used at trial.

INTERROGATORY NO.16: Describe in detail all COMMUNICATOINS CONCERNING Michael Oher.

ANSWER: Objection. Overly broad and unduly burdensome. Without waiving said objection, the Respondents would state that the parties have agreed to a mutual forensic expert to provide copies of electronic communications for all these parties to be reviewed by counsel and exchanged between the parties.

INTERROGATORY NO.17: Describe in detail all DOCUMENTS and COMMUNICATIONS, including but not limited to contracts, agreements, and notices CONCERNING *THE BLIND SIDE*.

ANSWER: Objection. Overly broad and unduly burdensome. Without waiving said objection these Respondents would state they do not possess any documents, contracts, agreements, or notices concerning *The Blind Side* that relate to the Petitioner. The parties are in possession of a Life Story Agreement, a copy of which has been produced with the Requests for Production of Documents.

INTERROGATORY NO. 18: Describe in detail all DOCUMENTS and COMMUNICATIONS CONCERNING royalties paid to YOU or the TUOHY FAMILY, or any foundation from *THE BLIND SIDE* book or movie.

ANSWER: Objection. Overly broad and unduly burdensome. This Interrogatory is not calculated to lead to the discovery of admissible evidence. Without waiving said objection, the Tuohys have filed an accounting of funds they received from the movie *The Blind Side* as well as the book written by Michael Lewis. The Tuohys would further state that they have received a \$200,000.00 donation to their foundation. It is their understanding that Mr. Oher was likewise made the same offer from the producers for a foundation, which he refused.

INTERROGATORY NO. 19: Describe all negotiations by YOU on behalf of Michael Oher regarding the *THE BLIND SIDE* book or movie, including but not limited to, all NCAA regulations on which you decided that Michael Oher was to receive no monetary payment for the sale of his name, image, and likeness rights.

ANSWER: The author Michael Lewis discussed *The Blind Side* book with Mr. Tuohy. He indicated that if he would allow their names to be used that he would pay him one-half of the funds received from the movie rights. The Tuohys had a family meeting between Sean Tuohy, Leigh Anne Tuohy, their children SJ, and Collins as well as Mr. Oher. At that meeting the parties agreed to split all proceeds forthcoming from the movie five ways with each party receiving an equal share.

INTERROGATORY NO. 20: Describe all contracts and agreements RELATING TO or entered into by YOU on behalf of Michael Oher.

ANSWER: See Answer to Interrogatory 19.

INTERROGATORY NO. 21: Describe all DOCUMENTS and COMMUNICATIONS, including but not limited to, records of monies received by YOU or the MAKING IT HAPPEN FOUNDATION CONCERNING or RELATING TO Michael Oher, appearances by the TUOHY FAMILY, *THE BLIND SIDE*, Twentieth Century Fox, Alcorn Entertainment, books written by the TUOHY FAMILY, including but not limited to, *In a Heartbeat: Sharing the Power of Cheerful Giving* by YOU and *Tum Around: Reach Out, Give Back, and Get Moving* by YOU.

ANSWER: Objection. Overly broad and unduly burdensome and further this Interrogatory is not calculated to lead to the discovery of admissible evidence. Without waiving said objection Respondents would state that they have previously provided all information regarding speaking engagements of the Tuohys to Petitioner.

INTERROGATORY NO. 22: Describe in detail all DOCUMENTS and COMMUNICATIONS CONCERNING YOUR representation that Michael Oher is YOUR adopted son.

ANSWER: These Respondents would state they have always considered Michael as part of their family. There is a website wherein they refer to Mr. Oher as their son in a colloquial sense.

INTERROGATORY NO. 23: Please identify any and all photographs, still image, and video sharing website that you have used and/or maintain(ed) an account with since 2004. For any account identified, please describe in detail any and all content that you have deleted or erased from August 1, 2023 to the present, which refers to Michael Oher, including but not limited to photographs, videos, posts, tweets, and name/username changes.

ANSWER: Objection. This Interrogatory is not calculated to lead to the discovery of admissible evidence. Without waiving said objection, Sean and Leigh Anne Tuohy have maintained two websites, <https://www.leighannetuohy.com/> and <https://www.makingithappenfoundation.com/>.

There has been no destruction of any content or deletion of any materials from August 1, 2023 to the present.

INTERROGATORY NO. 24: Describe all payments made to YOU or the TUOHY FAMILY from the MAKING IT HAPPEN FOUNDATION.

ANSWER: Objection. This Interrogatory is not calculated to lead to the discovery of admissible evidence. Without waiving said objection, these Respondents would state that no payments have ever been made to the Tuohy family from the Making It Happen Foundation.

There was a check for \$170.00 from the foundation payable to Sean Tuohy. This check was to reimburse him for an expense of the foundation that was inadvertently paid out of his personal account.

Respectfully submitted,

BALLIN, BALLIN & FISHMAN, P.C.



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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this the 4th day of December, 2023, a true and correct copy of the foregoing Response has been sent via the Court's ECF system, U.S. Mail and/or electronic mail to the following:

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RANDALL J. FISHMAN

VERIFICATION

Florida BM
STATE OF ~~TENNESSEE~~)
orange BM
COUNTY OF ~~SHELBY~~)

We, SEAN TUOHY AND LEIGH ANNE TUOHY, hereby verify that we have read the foregoing Answers to First Set of Interrogatories Propounded to Co-Conservators by Petitioner and that the same are true and correct to the best of our knowledge, information, and belief.

SEAN TUOHY

Sean Tuohy
Leigh Anne Tuohy
LEIGH ANNE TUOHY

NOTARY ACKNOWLEDGMENT

On this 30th day of November, before me personally appeared Sean Tuohy and Leigh Anne Tuohy to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

WITNESS my hand and seal, at office in ~~Shelby~~ County, ~~Tennessee~~ this 30th day of November.

Orange Florida
BM BM

NOTARY PUBLIC

My commission expires:

9/15/2026

Brittany Miles

