

IN THE CIRCUIT COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT IN
AND FOR BROWARD, FLORIDA CIRCUIT
CIVIL DIVISION

CASE NO.: CACE-21-007130

WILLIAM J. MITCHELL,

Plaintiff,

vs.

DAVID W. RACE,

Defendant.

DEFENDANT'S RESPONSE TO REQUEST FOR ADMISSIONS

Defendant, DAVID W. RACE, by and through its undersigned counsel, responds to Plaintiff's Request for Admissions as follows:

1. Admit that on or about July 31, 2010, Race traveled to a videogame event in Ottumwa, Iowa, known as "The Big Bang," to meet Mitchell.

Response: Denied. Race traveled the following week to Ottumwa, Iowa to attend "The Big Bang," but not to meet Mitchell.

2. Admit that at this event, Race approached Mitchell in recognition of his achievements in the original Pac-Man and the original Donkey Kong, and thereby established contact with Mitchell as a result.

Response: Admitted with regard to Race acknowledging Mitchell as being known for classic arcade achievements. Race requested and obtained Mitchell's autograph for himself, his son, and his fiancé at the time, but did not establish any means of contact with Mitchell, i.e., no e-mail, no phone number, until February 2018. Therefore, Denied, with regard to establishing contact with Mitchell as a result.

3. Admit that Race maintained contact with Mitchell after the event, and then joined the Pac-Man community to pursue his own high-scores in the footsteps of Mitchell.

Response: Denied. Contact only occurred incidentally or through a third party (e.g., conference call), as Race did not have Mitchell's contact information until February 2018. Race never followed in the footsteps of Mitchell. There were other Pac-Man players more