

IN THE CHANCERY COURT OF COUNTY, MISSISSIPPI

, a Mississippi Corporation

VS.

**THE KNOWN AND UNKNOWN HEIRS,
SUCCESSORS AND ASSIGNS OF:**

**, DECEASED, A/K/A ,
A/K/A ,**

**THE KNOWN AND UNKNOWN HEIRS,
SUCCESSORS AND ASSIGNS OF**

, DECEASED;

**THE KNOWN AND UNKNOWN HEIRS,
SUCCESSORS AND ASSIGNS OF**

**THE KNOWN AND UNKNOWN HEIRS,
SUCCESSORS AND ASSIGNS OF**

, , , , AND

**PLAINTIFF'S FIRST SET OF INTERROGATORIES,
REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS,
AND REQUEST FOR ADMISSIONS PROPOUNDED UPON**

COMES NOW, , by and through its attorney and propounds the following Interrogatories to the Defendant, , to be answered under oath within thirty (30) days.

NOTE A: When used in these Interrogatories the term "Defendant" or any synonym thereof, is intended to and shall embrace and include, in addition to said Defendant, all agents, servants, representatives, private investigators, and others, who are in a position or may have obtained information for or on behalf of the Defendant.

NOTE B: Pursuant to Mississippi Rules of Civil Procedure these Interrogatories shall be deemed continuing so as to require supplemental answers if you, your attorneys, or other representative, obtain further information. If additional information is acquired, you are under a duty to supplement said answers.

DEFINITIONS

The following definitions apply throughout the present set of Interrogatories and shall be adopted by Defendant and responded thereto.

A. "Complaint" refers to the Complaint filed by Plaintiff in the present action and any amendment thereto.

B. "Answer" shall mean the Answer of the Defendant in the present action and any amendment thereto.

C. "Person" shall mean any natural person or entity, whether business entity, corporation, association, firm, partnership or otherwise, governmental entity, other legal entity or any agency, bureau, committee, department, division, subdivision or subsidiary thereof.

D. "Representative" shall mean any officer, director, agent, employee, attorney, servant or other person acting for or on behalf of the person referred to in the Interrogatory or definition or of the person's affiliate.

E. "Document" shall mean the original (or copy if the original if not available) and each non-identical copy (whether non-identical because of alternations, attachments, blanks, comments, notes, underlining or otherwise) or any writing or record, however, described, whether account, agreement, amendment, article, authorization, bank advance or similar notice for transfer, bank statement, bill of lading, blueprint, book, chart, check, contract, correspondence, deposit slip, diary, drawing, entry, estimate or cost to complete estimate, film, tape, financial statement, graph, instruction, internal document, invoice, journal, ledger or subsidiary ledger, letter, memorandum, minutes, notes work papers, studies, notebook, plan, photocopy, photograph, projection, publication, purchase order, recording report, schedule scrapbook, sketch, specification, speech, tape, telegram, telex, transcript, voucher or otherwise, and all retrievable data (whether incarded, taped or coded electronically, electro-magnetically or otherwise) in the possession, custody or control of Defendant, or known to Defendant wherever the document is located, however produced or reproduced, whether draft or final version.

F. "Communication" or "statement" means any transfer of information by oral statement, document, device or otherwise.

G. "You" or "yours" means the Defendant and any applicable representatives, directors, officers, employees, engineers or servants, regardless of whether such individuals are representatives, etc. of you.

H. "Relating" to includes, but without limitation, mentioning, discussing, commenting on, referring to, pertaining to, alluding to, relevant to, or in any way touching upon, or connecting with.

I. "Identify" when used in reference to:

1. A natural person shall mean to state the person's full name, present or last known address and telephone number;

2. A business or governmental entity, not a natural person, shall mean to state the entity's full name, principal activities and type of entity (agency, association, corporation, partnership, department, division, etc.)

3. A document, shall mean to state the document's description, title, date, subject matter, author, and the name and address of the person who has custody of such document.

INTERROGATORY NUMBER ONE: In numbered paragraph _____ of your Answer, you admitted all deraignments in numbered paragraph _____ of the Complaint, except item numbered _____. Set out in detail what you know and what you have heard, distinguishing between the two, regarding any usage of the land that is the subject of this lawsuit by _____, and/or _____.

INTERROGATORY NUMBER TWO: In paragraph numbered _____ of the Complaint, reference is made to a purported Last Will and Testament of _____. Regarding same, please set out what you know about the whereabouts of the original of same, and whether or not same has ever been probated, where and when probated, by whom. Include any cause number in a county and state of probate, if known.

INTERROGATORY NUMBER THREE: Using the definition in the preamble to the interrogatories, identify the heirs of _____.

INTERROGATORY NUMBER FOUR: Numbered paragraph _____ of the Complaint makes reference to a purported Will of _____. Regarding same, please set out what you know about the whereabouts of the original of same, and whether or not same has ever been probated, where and when probated, by whom. Include any cause number in a county and state of probate, if known.

INTERROGATORY NUMBER FIVE: Using the definition in the preamble to the interrogatories, identify the heirs of _____.

INTERROGATORY NUMBER SIX: In numbered paragraph _____ of your Answer, you allege that there was an "arrangement with _____'s predecessor in title, was that gravel and timber sales would be accumulated and offset against the taxes; therefore, the resources of the land actually pay the taxes to which _____ is entitled to credit for his/her share of the land resources used for such purpose." Regarding this allegation, please detail same, including in your answer what you know and what you have heard, distinguishing between the two, and advising from whom you heard those things that you do not know, but have only heard. Regarding the substance of your answer, include in it the identity of any predecessor in title with whom an "arrangement" was made; when it was made; by whom it was made; when it was ever implemented; who was present when the arrangement was made; who learned of the arrangement; any time when the arrangement was ever followed; give the address of any person and the location of any document or thing which is witness to or corroboration of the arrangement; set out any gravel and timber sales that you contend have occurred, who did them, when, for what consideration, what portion you contend you were to receive under the arrangement, if any; and what portion you did receive; itemize any credits to which you think you are entitled from whom you think you are entitled to receive them, per the arrangement, and when it is that you contend that you first knew that there was any credit to which you were entitled.

INTERROGATORY NUMBER SEVEN: Do you contend that the property in question is or is not subject to be partitioned, should a court adjudicate you to have any interest in such property?

INTERROGATORY NUMBER EIGHT: Set out in detail all usage you and any person you claim to be a predecessor in title of you, have made of the subject lands.

INTERROGATORY NUMBER NINE: Set out all of the acts of possession of which you are aware that have been made with regard to the lands by anyone other than you and your contended predecessors in title.

INTERROGATORY NUMBER TEN: In numbered paragraphs of your Counter-Claim, you asserted that you have paid \$ _____ in legal fees; and that the lawsuit which has been filed with regard to this land is a frivolous one. Detail your fee arrangement.

INTERROGATORY NUMBER ELEVEN: Set out the factual and legal basis of your allegation that the lawsuit is frivolous.

INTERROGATORY NUMBER TWELVE: Identify each person, including, but not limited to doctors, whom you expect to call as an expert witness at the trial of this cause, and with respect to each such person: (a) describe his qualifications, including, but not limited to a copy of his/her curriculum vitae; (b) state the subject matter on which you expect him/her to testify; (c) state the substance of the facts and opinions to which he/she is expected to testify; (d) state a summary of the grounds for each such opinion; and (e) identify reports or other documents relied upon by that expert in reaching his/her opinions in this matter.

INTERROGATORY NUMBER THIRTEEN: If you contend that the Defendant has made any admissions, as defined by Mississippi Rule of Evidence 801(d)(2), please list each such admission, the date each such admission was made, and the name, address and telephone number of any persons who witnessed each such respective admission.

Respectfully submitted,

Attorney for

Of counsel:

Telephone:
MSB #
Attorney for