

IN THE _____ COURT OF _____ COUNTY
STATE OF _____

_____)	
)	
)	
Petitioner/Plaintiff,)	
)	
Vs.)	NO. _____
)	
_____)	
Respondent/Defendant)	
)	

**PLAINTIFFS' RESPONSE TO DEFENDANT'S FIRST
REOUEST FOR PRODUCTION OF DOCUMENTS**

The Plaintiffs, Estate of _____, respond to the following Requests for
Production propounded by _____ as follows.

GENERAL OBJECTIONS

1. The Plaintiffs object to the production of documents, which are not within their possession, custody or control.
2. The Plaintiffs object to the production of documents, which are protected by the attorney-client privilege and/or work product doctrine.

RESPONSES

REOUEST NO. 1: Produce each and every writing, documents or other physical evidence referred to, described or identified in your Answers to Defendant's First Set of Interrogatories to Plaintiffs being served simultaneously with this Request.

RESPONSE: Subject to the foregoing general objections, those documents within the scope of the request will be produced.

REOUEST NO. 2: Any and all photographs, measurements, plats, drawings, surveys, maps, statements, recordings, reports, resumes, movies, videos, calculations, and other physical materials of any kind or nature which in any way describe, depict, refer to, or relate to in any manner:

- (a) The accident;
- (b) The scene of the accident;
- (c) How the accident occurred;
- (d) Why the accident occurred;
- (e) The damage or injury to any property or person;
- (f) The credibility of any witness; and
- (g) The liability of any party.

RESPONSE: Subject to the foregoing general objections, those documents within the scope of the request will be produced.

REOUEST NO. 3: Any and all statements in recorded, summarized and transcribed form from anyone concerning the accident, cause thereof or damages arising therefrom.

RESPONSE: Subject to the foregoing general objections, those documents within the scope of the request will be produced.

REOUEST NO. 4: All reports and correspondence prepared by investigators concerning the accident in any way.

RESPONSE: None.

REOUEST NO. 5: All reports and correspondence prepared by investigators concerning the accident in any way.

RESPONSE: None.

REQUEST NO. 6: All evidence or exhibits, which Plaintiffs may tender as evidence at trial.

RESPONSE: The Plaintiffs object to this request to the extent that it is beyond the scope of the _____ Rules Civil Procedure. Subject to this objection, the Plaintiffs have not yet determined what evidence or exhibits it intends to produce at trial. This response will be supplemented when such a determination is made.

REQUEST NO. 7: All insurance policies applicable to any person involved in the accident providing coverage for damages from the accident for any party or person.

RESPONSE: The Plaintiffs object to this request because it seeks the production of documents which are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NO. 8: All investigation files relating in any manner to the accident.

RESPONSE: None.

REQUEST NO. 9: All accident reports of any kind or nature.

RESPONSE: None.

REQUEST NO. 10: All documents and other physical evidence which support your description of exactly how you contend the accident occurred as described in your response to Interrogatory No. 7.

RESPONSE: Subject to the foregoing general objections, those documents within the scope of the request will be produced.

REQUEST NO. 11: All documents and other physical evidence which support what you contend the Defendant did or failed to do that contributed to the accident as described in your response to Interrogatory No. 9.

RESPONSE: Subject to the foregoing general objections, those documents within the scope of the request will be produced.

REQUEST NO. 12: All medical records, reports, summaries or like documents which in any matter relate to the injuries the deceased, _____, sustained in the subject accident and treatment he received for those injuries.

RESPONSE: Subject to the foregoing general objections, those documents within the scope of the request will be produced.

REQUEST NO. 13: All W-2 statements reporting income to _____ for the five years preceding his death.

RESPONSE: The Plaintiffs are not in the possession, custody or control of any such W-2 statements.

REQUEST NO. 14: All 1099 statements reporting income to _____ for the five years preceding his death.

RESPONSE: The Plaintiffs are not in the possession, custody or control of any such 1099 statements.

REQUEST NO. 15: All employment applications completed by or on behalf of _____ during the five years preceding his death.

RESPONSE: The Plaintiffs are not in the possession¹ custody or control of any such employment applications.

REQUEST NO. 16: All employment evaluations for _____ for the five years preceding his death.

RESPONSE: The Plaintiffs are not in the possession, custody or control of any such employment evaluations.

REQUEST NO. 17: All school records for _____.

RESPONSE: The Plaintiffs are not in the possession, custody or control of any such school records.

REQUEST NO. 18: All medical records for _____ for the five years preceding his death.

RESPONSE: The Plaintiffs object to this request because it is overly broad and unduly burdensome and because it seeks the production of documents, which are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Subject to this objection, the Plaintiffs will produce the medical records of _____ relating to the injuries at issue in this case.

INTERROGATORY

If Plaintiffs decline to produce any document requested in the foregoing Request for Production, then as to each document not produced or otherwise claimed as privilege, state:

- (a) The name, address, employer and job description of the author who prepared such document;
- (b) The date such document was prepared, and whether such document was prepared by you or on your behalf;
- (c) A general description of the written matter in the document;
- (d) Whether such document was prepared under the supervision or pursuant to the instructions of your attorney; and
- (e) The name and address of the person who presently has custody of the document.

RESPONSE: The Plaintiffs object to this interrogatory to the extent that it requests that the Plaintiffs identify and give information regarding documents which are not in the possession, custody or control of the Plaintiffs. Documents withheld on the basis of privilege include

correspondence between the Plaintiffs and their counsel and notes made by the Plaintiffs' counsel.

Respectfully submitted,

Dated: _____

Name: _____

Title:

Address:

Address:

City, State, Zip:

Phone:

Fax:

E-Mail:

Attorney No.:

CERTIFICATE OF SERVICE

I, _____, do hereby certify that I have this day mailed,
U.S. Mail, postage prepaid, a true and correct copy of the above and foregoing to
_____, at the following address;

THIS the ____ day of _____, 20____.
