

IN THE _____ COURT OF _____ COUNTY
STATE OF _____

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

INTERROGATORIES TO DEFENDANT,

Plaintiff requests that the Defendant, _____, answer the following interrogatories:

DEFINITIONS

1. The term “documents” means: all writings of any kind, including the originals and all non-identical copies, whether different from the originals by reason of any notation made on such copies or otherwise, and whether printed, recorded, created or reproduced by any mechanical means or process, or written or produced by hand, including, but not limited to: agreements; contracts; drafts of agreements or contracts; written material referencing oral agreements or contracts; confirmatory memoranda; letters of intent; orders; purchase orders; communications; messages; correspondence; personal calendars (whether written electronically or computerized); letters; postcards; telegrams; teletypes; telefax; mailgrams; tape recordings; memoranda; diaries (whether written, electronic or computerized); summaries; notes or other typed or written records; files; intra-office and interoffice memoranda and communications; personal memoranda; photographic slides; pictures; motion picture films; photographic film; microfilm; microfiche; newspapers; magazines; charts; graphs; drawings; bookkeeping entries;

account summaries or statements; financial statements; balance sheets; invoices; bills; orders; receipts; bank record of all types; notes of interviews; statements of witnesses; findings of investigations; reports of experts who are expected to be called to trial; materials furnished to experts expected to be called to trial, cassettes; micro cassettes; computer discs; pamphlets; bulletins; posters; blueprints; drawings; recommendations; safety books; safety manuals; written or printed warnings; test results; opinions or conclusions from test results or investigations; and letters.

2. “Identify,” when referring to a document request, means that the following information be supplied:

- a. A description of the document;
- b. The date of the document;
- c. The name or names of any individual who may have authored the document or provided information for the document;
- d. The name or names of any individual to whom the document was sent;
- e. A general description of the subject matter of the document; and
- f. The name or names of any person who sent the document.

3. “Identify”, when using reference to a person or company or entity, requests that the following information be supplied:

- g. The correct name and address of that person or entity;
- h. The correct name and address of that person’s employer and job title if reference is made to that person;
- i. If the information requested contains the name of a person that is no longer employed or associated with Defendant then Defendant or its attorneys should supply not only the correct name and last known address

of that person but that person's date of birth, social security number and last known employer; and

- j. If the interrogatory requests that the Defendant identify a member, then provide the correct name, address, telephone number, social security number and date of birth of that member.

INSTRUCTIONS

1. Wherever information is requested, the request should be deemed to include information available to this Defendant, its past and present insurance carrier or carriers, its attorneys and all officers, agents and/or employees of this Defendant.

2. Should this Defendant deem any documents to be privileged, Defendant shall list such documentation in the manner above indicated, and in addition to supplying the above-noted information concerning such documents, Defendant shall indicate what privilege is claimed and shall briefly state the ground on which the claim of privilege rests, in order that the Plaintiff may have the factual basis to determine whether or not such documents are, in fact, privileged.

SET ONE

1. With regard to any lawsuit filed against _____ concerning any injury or death on the premises of _____, provide or state: the style of the case; civil action number; court where filed; and, identify the attorney representing the plaintiff. Also, set forth the allegations of each plaintiff.

RESPONSE:

2. Identify:

- (a) Any employee with _____ for the last five (5) years whose job or duty it was to inspect the work site for safety and safe

working conditions;

- (b) Any contractor for or employee for the last five (5) years whose job or duty it was to create a Hazard Communication Standard for _____;
- (c) Any contractor for or employee with _____ for the last five (5) years whose job or duty it was to implement the Hazard Communication Standard;
- (d) Any employee with _____ for the last five (5) years whose job or duty it was to inspect the premises of _____ to locate hazardous chemicals in the work place;
- (e) Any employee or person with _____ for the last five (5) years whose job it was to create or maintain a list of hazardous or potentially hazardous chemicals on the work site of _____;
- (f) Any employee for the last five (5) years with _____ or person with _____ who created a written plan which described how to communicate to workers the hazards associated with chemicals on the premises and/or any Hazard or Communication Program with _____;
- (g) Any person with _____ for the last five (5) years who was responsible for insuring the labeling of in plant containers of hazardous materials;
- (h) Any person with _____ for the last five (5) years whose job or duty it was to maintain Material Safety Data Sheets (MSDS) for

chemicals at _____;

- (i) Any employee or person with _____ for the last five (5) years whose job or duty it was to train workers about hazardous chemicals in the work place at _____;
- (j) Any individual with _____ whose job or duty it was to ensure or see to the proper, safe disposal of the drums removed by the Plaintiff from the premises of _____;
- (k) Any person with _____ who knew that the Plaintiff was removing the drums from the premises of _____, prior to his injury;
- (l) The entity that manufactured the contents of each of the drums removed by the Plaintiff;
- (m) The entity from whom _____ purchased the drums or contents of the drums which were removed by the Plaintiff; and,
- (n) Any individual with _____ who knew the contents of the drums removed by Plaintiff.

RESPONSE:

3. For each drum removed by the Plaintiff, state or provide:

- (a) The date it was acquired by _____;
- (b) What was in the container as originally acquired?

- (c) What substance was put in the container by _____ or any other person or entity; and,
- (d) The entity from whom it was acquired.

RESPONSE:

4. Set forth in detail what and how Plaintiff was to dispose of the drums that were removed from the premises of _____.

RESPONSE:

5. With respect to the drum that exploded or caused the Plaintiff's injury, state or provide:

- (a) The entity from whom it was obtained and the date it was obtained or purchased or acquired by _____;
- (b) What was in it at all times that it was on the premises of _____; and,
- (c) What the substance was used for that was in the drum or on the premises of _____.

RESPONSE:

6. With respect to any prior removal or disposal of drums, state or provide:
- (a) The date and number of drums removed and disposed of;
 - (b) Identify the person or entity that removed and disposed of these drums;
 - (c) Describe the method of disposal and the location where they were disposed; and,
 - (d) Identify the person or persons with _____ having knowledge of the removal and disposal of such drums;
 - (e) Identify the owner of the premises where barrels were removed; and,
 - (f) Identify the owner of the barrels removed by Plaintiff.

RESPONSE:

7. Did this Defendant or any of its employee before the Plaintiff's injury know or contend that welding or burning of the drum on which Plaintiff was working at the time of his injury, could result in an explosion or that it would create a flammable situation? If so, identify each person who claims such knowledge and set forth the extent of their knowledge or opinion.

- (a) State whether or not this information was provided to the Plaintiff and if so, how and when it was provided to the Plaintiff along with who provided it.

RESPONSE:

8. Were any warnings given to the Plaintiff before his injury about what should or should not be done with respect to burning, cutting with a torch or disposal of the drums? If so,

state what warnings were given and identify who provided the warnings.

RESPONSE:

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____.
