

PERSONAL INJURY NEGLIGENCE INTERROGATORIES TO DEFENDANTS

1. What is the name and address of the person answering these interrogatories, and, if applicable, the person's official position or relationship with the party to whom the interrogatories are directed?

2. Describe any and all policies of insurance which you contend cover or may cover you for the allegations set forth in plaintiff's complaint, detailing as to such policies the name of the insurer, the number of the policy, the effective dates of the policy, the available limits of liability, and the name and address of the custodian of the policy.

3. Describe in detail how the incident described in the complaint happened, including all actions taken by you to prevent the incident. Please include a detailed description of each security/safety precaution taken by you to prevent this incident from occurring.

4. Describe in detail each act or omission on the part of any party to this lawsuit that you contend constituted negligence that was a contributing legal cause of the incident in question.

5. State the facts upon which you rely for each affirmative defense in your answer.

6. Do you contend any person or entity other than you is, or may be, liable in whole or part for the claims asserted against you in this lawsuit? If so, state the full name and address of each such person or entity, the legal basis for your contention, the facts or evidence upon which your contention is based, and whether or not you have notified each such person or entity of your contention.

7. List the names and addresses of all persons who are believed or known by you, your agents, or your attorneys to have any knowledge concerning any of the issues in this lawsuit; and specify the subject matter about which the witness has knowledge.

8. Have you heard or do you know about any statement or remark made by or on behalf of any party to this lawsuit, other than yourself, concerning any issue in this lawsuit? If so, state the name and address of each person who made the statement or statements, the name and address of each person who heard it, and the date, time, place, and substance of each statement.

9. State the name and address of every person known to you, your agents, or your attorneys who has knowledge about, or possession, custody, or control of, any model, plat, map, drawing, motion picture, videotape, or photograph pertaining to any fact or issue involved in this controversy; and describe as to each, what such person has, the name and address of the person who took or prepared it, and the date it was taken or prepared.

10. Have you made an agreement with anyone that would limit that party's liability to anyone for any of the damages sued upon in this case? If so, state the terms of the agreement and the parties to it.

11. Please state if you have ever been a party, either plaintiff or defendant, in a lawsuit other than the present matter, and, if so, state whether you were plaintiff or defendant, the nature of the action, and the date and court in which such suit was filed.

12. Are you aware of any crimes of any nature whatsoever that were committed in or on the property, including the parking areas, during the five-year period up to present? If the answer is yes, please provide the following information with regard to each such crime:
 - a. The date of the incident;

 - b. The nature of the incident;

 - c. The law enforcement agency that investigated the incident, along the agency's incident/case number;

 - d. Whether or not you possess reports or documents pertaining to the incident;

 - e. The names and addresses of any witnesses to the incident, including the victim(s), the perpetrator(s) and any of your employees or former employees who may have information regarding the incident.

 - f. Where on the property the incident took place.

13. Have you taken any steps or measures since the incident to increase the safety and security of customers and to prevent another similar incident from occurring? If yes, please provide the following information:

- a. The nature of each such measure;
- b. The date the measure was taken, implemented or installed;
- c. The reason or purpose for instituting the measure.

14. Who do you contend is responsible for the following, and on what do you base your assertion:

- a. Maintaining and repairing parking lot lights?
- b. Maintaining and repairing lights on the exterior portions of the property, including lights in and on the sidewalks and the breezeway/walkway leading to the entrance?
- c. Providing security in and patrolling the parking lots?
- d. Removing trespassers and/or loiterers from the property?