

SLIP & FALL INTERROGATORIES¹

1. Please state the name and address of each person or entity having an ownership interest in the sidewalk where Plaintiff was injured on or about the date of the incident herein complained of and specify in detail, the nature of such interest.

2. What is the name and address of each person or entity who was responsible for the maintenance, inspection or repair of the sidewalk at the location of Plaintiff's injury, on the date of the incident sued upon herein?

3. Was there a defect in the sidewalk where the Plaintiff tripped and fell at the time of the incident? If so, state:
 - a. A description of the defect.

 - b. The exact location of said defect.

 - c. The dimensions of said defect.

4. Please indicate with specificity the exact date and time you received notice of the existence of any defect in the sidewalk at the location of Plaintiff's injury; and

^{1/} As to the specific incident and location referred to, please see Plaintiff's Complaint

- a. Please indicate the method by which such notice was received.
 - b. Please state the name, address and phone number of the person who received such notice.
 - c. Please indicate each effort made, if any, to remedy and/or to eliminate the presence of such defective condition anytime before or after the incident sued upon herein.
5. Were any photographs taken of the area where the incident sued upon occurred after occurrence of the event? If so, state:
- a. The name or other means of identification and address of the photographer.
 - b. The number of pictures that were taken.
 - c. The name and address of each person known to have received prints or copies of the photographs.

8. Has the Defendant ever been made aware prior to the date of the incident sued upon, by any means, oral or written, calling attention to the Defendant of the existence of the defective condition of the sidewalk where Plaintiff sustained injuries? If so, state:
 - a. Name, address and occupation of the person or persons responsible for bringing such condition to the Defendant's attention.
 - b. Method of communication.
 - c. Date of communication.
 - d. Name, address, occupation and place of employment of person or persons to whom said communication was directed or transmitted to.
 - e. Name, address, occupation and place of employment of any person or persons replying to said communication together with the method and date of said reply.
 - f. The nature of remedial action, if any, which was taken by Defendant in response to said communication.

9. State whether there is or was in existence any policy of liability insurance which would or might inure to the benefit of the Plaintiff herein, by providing for payment of a part of or all of any judgment rendered in Favor of the Plaintiff against Defendant or against any other person, firm or corporation who is or may be liable to the Plaintiff by reason of the incident described in the complaint, and if the answer is “yes”, state as follows as to each such policy of insurance known or believed to exist by you or your attorneys:
- a. The name and address of the insurer on each such policy.
 - b. The name and address of each named insured on each such policy.
 - c. The relationship, if any, between each named insured on each such policy and any named Defendant in this cause.
 - d. The policy number of each such policy.
 - e. The name and address of any person, firm or corporation who is or may be an “additional insured” under such policy by reason of the incident described in the Complaint, and the relationship, if any, between such “additional insured” and any named Defendant(s) in this cause.

- f. The limits of liability in such policy as might be applied to any one Plaintiff by reason of any one incident and the total limits of liability to all persons by reason of any one incident.

- g. Whether or not any insurer has notified any insured that said insurer or any other person, firm or corporation must pay a part of or all of any judgment before the insurer must make any payment; if so, what payment must be made and by whom before the insurer must make payment.

- h. Whether or not any insurer has notified any insured that said insurer claims that there is or may be no coverage under the terms of the policy of insurance involved, and if the answer is “yes”, describe the reason given for the claimed lack of coverage or failure thereof as stated by said insurer (identifying same) to said insured (identifying same), and state the date of such notice. NOTE: If such policy defense is withdrawn or waived, this subparagraph need not be answered.

- i. Please state the name and address of the resident agent of each insurance company.

- j. All reinsurance coverage:

- k. All excess insurance coverage:

- l. The name and address of the insurer(s):

- m. The number of the policy(ies):
 - n. The form of insurance:
 - o. The effective dates of coverage:
 - p. The amount(s) of coverage:
 - q. The name and address of the named insured(s):
 - r. The name, address and telephone number of the person or entity that has possession of the policy(ies) and the reinsurance or excess insurance clauses.
 - s. Are immediate medical payments available under the terms of any policy, and if so, identify each policy which provides for immediate medical payments.
10. Please state the names and addresses of any and all persons who:
- a. To your knowledge or belief witnessed the incident herein:

- b. To your knowledge or belief were present at the scene of the incident immediately after its occurrence or within three (3) hours of the incident:
 - c. Were within sight or hearing of the incident:
 - d. Were witnesses to any of the events leading up to the incident or the subsequent investigation and related events thereafter.

- 11. Have you or your attorneys, agents, servants or insurance company, its agents, employees or representatives, had any surveillance done or made of Plaintiffs? If so, state:
 - a. Who made the surveillance:
 - b. What the surveillance entails and describes:
 - c. When the surveillance was made:

- 12. If you are claiming that you had nothing to do with the condition of the sidewalk at the time and place of the incident sued upon, then kindly advise:

- a. Name, address and phone number of the person or persons or entity responsible.
 - b. Whether that person or entity was employed by the Defendant.
 - c. Whether said person or entity had a contract or agreement with the Defendant to perform services or construction there.
 - d. Whether such contract or agreement was oral or in writing.
 - e. If in writing, will you supply a copy of such contract or agreement without the necessity of a request to produce at the time you answer these interrogatories?
 - f. The exact nature of the services performed or materials supplied, and the precise dates thereof at the time and place of the incident.
13. Was any person or persons responsible for maintaining and supervising the area in which the Plaintiff was injured at the time of the incident? If so, state:
- a. Their names and street addresses:
 - b. Their job titles or description of their duties:
 - c. Their location at the time of the incident.

14. Plaintiff alleges that the condition of the surface of the sidewalk as set forth in Plaintiff's Complaint, caused Plaintiff to fall and sustain injuries. Do you contend said condition either did not exist or did not cause Plaintiff to fall and sustain injuries? If so, state:
 - a. What you contend caused the Plaintiff to be injured:
 - b. On what facts do you base such a contention?

15. Were inspection(s) made prior to the date of the incident sued upon to determine whether the sidewalk where the Plaintiff was injured was safe and in good repair? If so, state:
 - a. The frequency of such inspections:
 - b. The date and time of the last inspection prior to the incident:
 - c. The name, address and job title of the person who made the last inspection:
 - d. A description of the area the sidewalk where the Plaintiff fell, or the findings that were made on the last inspection:
 - e. Whether any instructions were given as a result of the last inspection to fix or alter anything in the area of the incident, and, if so, a description of the instructions, and the name of each person to whom such instructions were given:

16. Was any inspection made of the scene subsequent to the date of the incident sued upon? If so, state:
 - a. The date and time it was made:
 - b. The name, address and job title of each person who made the inspection:
 - c. What findings were made:

17. Was any warning given to Plaintiff or any other person concerning any danger or unevenness and/or protrusion of the surface of the sidewalk in the area where the incident occurred? If so, state:
 - a. A description of the danger or the warning that was given:
 - b. The name, or other means of identification, and address of the person who gave the warning:
 - c. The name, or other means of identification, and address of each person to whom it was given:
 - d. The form in which it was given:
 - e. The reason it was given:
 - f. The date or dates it was given:

