

TRUCK ACCIDENT – PLAINTIFF TO DEFENDANT
INTERROGATORIES

DEFINITIONS

- A. The words "***the truck***" as used hereinafter in these Interrogatories shall refer to the vehicle, described in the Complaint, which was involved in the incident of MM/DD/YYYY, which allegedly caused injuries to the Plaintiffs,
 - B. The words "***the incident***" as used hereinafter in these Interrogatories shall refer to the incident, described in the Complaint, that is alleged to have caused the injuries to the
 - C. The words "***the date of the incident***" as used hereinafter in these interrogatories shall refer to MM/DD/YYYY.
 - D. The words "***the driver of the truck***" as used hereinafter in these interrogatories shall refer to the person who drove the truck described in the Complaint (defined above as "***the truck***") which was involved in the incident of MM/DD/YYYY.
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- 1. What is the name and address of the person answering these interrogatories and the person's official position or relationship with the party to whom the interrogatories are directed?

 - 2. Please state the full corporate name of the Defendant (the exact corporate spelling), the state of incorporation, the date of incorporation, and the location of the Defendant's principal place of business.

 - 3. Has the ***driver of the truck*** ever been convicted of a crime, other than any juvenile adjudication, which under the law under which he was convicted was punishable by death or imprisonment in excess of one (1) year, or that involved dishonesty or a false statement regardless of the punishment? If so, state as to each such conviction the specific crime and the date and place of conviction.

4. Are there any *policies of insurance* that will or may provide coverage to you for any of the allegations made against you in the Complaint? If so, state as to each such policy: the policy number, the claim number, the name and address of the insurer, the liability limits (in dollars), the effective dates of the policy, and the name and address of the custodian of the policy.

5. Describe in detail how the incident occurred, including all actions taken by the Driver to prevent the incident.

6. 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.

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

8. Do you contend that any person or entity other than you is, or may be, liable in whole or in part for the claims asserted against you in this lawsuit? If so, state the 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.

9. Was *the driver* charged with any violation of law (including statutes, regulations or ordinances) arising out of the incident? If so, what was the nature of the charge; what plea or answer, if any, did the driver enter to the charge, what court or agency heard the charge; was any written report prepared by anyone regarding the charge, and, if so, what is the name and address of the person or entity who prepared the report; do you have a copy of the report, and was the testimony at any trial, hearing or other proceedings on the charge recorded in any manner, and if so what is the name and address of the person who recorded the testimony.

10. List the names and addresses of all persons who are believed or known by you, your agents, your employees, 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.

11. Have you or have any of your employees or agents 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, the name and address of each person who heard it, and the date, time, place, and substance of each statement.

12. Have you made an agreement with anyone that would limit that person'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.

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

14. In the past five (5) years, has the Defendant ever been a party, either plaintiff or defendant, in a lawsuit other than the present matter, and, if so, state whether the Defendant was the plaintiff or the defendant, the nature of the action, the case number, the state and county of filing, and the date and court in which the case was filed.

15. Did the driver of the truck have your permission and consent to be driving the truck at the time of the incident?

16. State the full name, home address, date of hire, job title, date of birth, Driver License Number (and state of license), and the Social Security Number of the ***driver of the truck***.

17. Did the truck ***make any deliveries or make any scheduled stops*** at any establishments, person's houses, businesses, or governmental entities in the seven (7) days prior to the date of the incident? If so, state the name and address of each person, entity or business where the truck stopped, the reason for the stop, and the date and time of day of the stop. Include in your answer a description of any records, reports, bills of lading, invoices, logs, delivery receipts, or writings describing or concerning the deliveries or stops.

18. State the ***empty weight*** of the truck on the date of the incident, the weight of any cargo (or contents) carried on the truck at the time of the incident, and describe in detail the cargo (or contents) of the truck being carried in the truck at the time of the incident.

19. Describe the truck in detail including make, model, year of manufacture, and the name and address of the person or entity from whom you purchased the truck. Include in your answer a complete description of any signs, insignia or writing painted or affixed onto the outside of the truck (signs, writing, or insignia that existed on the date of the incident).

20. State the name and address of the person with the most knowledge of the maintenance of the truck and any repairs made to the truck in the past three (3) years.

21. Describe, with sufficient particularity to enable a proper description thereof in a Request To Produce, ***any records, reports, writings, computer records or files*** concerning: the driver of the truck, the maintenance history of the truck, any repairs made to the truck (in the past three years), safety rules or operating procedures for the truck, truck driver safety, or procedures to follow when a driver is in an accident.

22. State the name and address of each and every person, business, or entity that ***had any ownership interest*** in the truck on the date of the incident or was the ***party to any lease*** regarding the truck on the date of the incident. Include in your answer the name and address of the custodian of the title to the truck and the name and address of the custodian of any lease involving the truck (lease in effect on the date of the incident).