

E. Defendant objects to the Requests as unduly burdensome and oppressive insofar as they seek information or materials already within plaintiff's knowledge, possession and/or control.

F. Defendant objects to Plaintiff's Requests for Admission on the grounds that such requests involve ultimate issues of fact in dispute, rather than primary evidentiary facts. See *St. James Construction Co. v. Morlock*, 89 Md. App. 217 (1991), cert. denied, 325 Md. 526 (1992); Neimeyer, et al., *Maryland Rules Commentary* at 336 (3d Ed. 2003).

G. Defendant objects to the Requests for Admission as they are improperly structured and improperly phrased as ambiguous, and compound in nature.

H. The information contained in these Responses and Objections is being provided in accordance with the provisions and intent of the general rules of discovery, which require the disclosure of facts which may be relevant or which may lead to the discovery of relevant information. Accordingly, defendant, by providing the information requested, does not waive objections to admission in evidence on grounds of materiality or relevancy or other proper grounds for objection.

RESPONSES TO REQUESTS FOR ADMISSION

REQUEST NO. 1: Does Dr. _____ admit that _____ is the adopted son of _____

?

ANSWER: Defendant admits only that he has no evidence to dispute that _____ is the adopted son of _____

REQUEST NO. 2: Does Dr. _____ admit that _____ is the adopted daughter of _____ ?

ANSWER: Defendant admits only that he has no evidence to dispute that is the adopted daughter of

REQUEST NO. 3: Does Dr. admit that is the wife of

ANSWER: Defendant admits only that he has no evidence to dispute that was the wife of

REQUEST NO. 4: Does Dr. admit that he was the physician who was primarily responsible for the medical care and treatment of while was an inpatient at ?

ANSWER: Objection. The request is ambiguous as the phrase "primarily responsible" is subject to multiple interpretations; therefore this request is ambiguous and cannot be admitted or denied as phrased. Moreover, this Request involves an ultimate issue of fact in dispute. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 5: Does Dr. admit that he does not in this case claim that any other physician or medical personnel breached the standard of care while providing medical care and treatment to while he was a patient at ?

ANSWER: Objection. The request seeks information protected by attorney-client privilege and work product privilege. Moreover, this Request involves an ultimate issue of fact in dispute. Pursuant to Maryland Rules, to the extent a response is required, Defendant admits only

that he is not claiming that any other medical provider breached the standard of care in their care and treatment of _____ from _____.

REQUEST NO. 6: Does Dr. _____ admit that the laboratory results from the blood tests done on _____ while he was a patient at _____ are accurate?

ANSWER: Objection. The request is ambiguous as the term “accurate” is subject to multiple interpretations, the “laboratory results” are not defined or specified, and the request makes no reference to any specific time; therefore this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 7: Does Dr. _____ admit that he is unaware of any facts that would suggest or establish that the laboratory results from the blood tests done on _____ while he was a patient at _____ are inaccurate?

ANSWER: Objection. The request is ambiguous as the term “inaccurate” is subject to multiple interpretations and the “laboratory results” are not defined or specified, and the request makes no reference to any specific time; therefore this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 8: Does Dr. _____ admit that he could have ordered blood tests for _____ at 8 hour intervals while Mr. _____ was a patient at _____

ANSWER: Objection. This request is ambiguous as the term "could have ordered" is subject to multiple interpretations and makes no reference to any specific time; therefore, this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 9: Does Dr. _____ admit that he could have ordered blood tests for _____ at 4 hour intervals while Mr. _____ was a patient at _____

ANSWER: Objection. This request is ambiguous as the term "could have ordered" is subject to multiple interpretations and makes no reference to any specific time; therefore, this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 10: Does Dr. _____ admit that he could have re-ordered blood tests for _____ on an urgent basis if he believed that the results of any blood test were inaccurate?

ANSWER: Objection. This request is ambiguous as the phrases "could have re-ordered" and "urgent basis" are subject to multiple interpretations and makes no reference to any specific time. Therefore, this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 11: Does Dr. _____ admit that if he believed that Mr. _____ was suffering from internal bleeding that he could have ordered blood products to be administered to Mr. _____

ANSWER: Objection. This request is ambiguous as the phrases “if he believed” and “could have ordered” are subject to multiple interpretations and makes no reference to any specific time. Therefore, this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 12: Does Dr. _____ admit that _____ requested that be transferred to _____ for medical care and treatment?

ANSWER: Objection. This request is ambiguous as it fails to identify a time or date of Mrs. _____’s request nor does the request identify to whom the request for transfer was made. Defendant is unable to admit or deny the request, as he has no recollection that made a request to him that _____ be transferred to _____ for medical care.

REQUEST NO. 13: Does Dr. _____ admit that he had the authority as Mr. _____’s physician to transfer _____ to _____ for medical care and treatment?

ANSWER: Objection. This request is ambiguous as the term “authority” is subject to multiple interpretations and makes no reference to any specific time; therefore, this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 14: Does Dr. _____ admit that one of the causes of _____’s death was complications due to internal bleeding?

ANSWER: Objection. This request is ambiguous as the phrase “complications due to internal bleeding” is subject to multiple interpretations; therefore, this request is ambiguous and cannot be admitted or denied as phrased. Moreover, this request seeks the admission of an ultimate issue of fact in dispute that is beyond primary evidentiary facts. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 15: Does Dr. _____ admit that one of the proximate causes for _____’s renal failure was due to internal bleeding?

ANSWER: Objection. This request is seeks the admission of an ultimate issue of fact in dispute that is beyond primary evidentiary facts. Moreover, the request seeks a legal conclusion Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 16: Does Dr. _____ admit that one of the proximate causes for _____’s liver failure was due to internal bleeding?

ANSWER: Objection. This request is seeks the admission of an ultimate issue of fact in dispute that is beyond primary evidentiary facts. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 17: Does Dr. _____ admit that _____ exhibited symptoms of shock at the time of or shortly before his death?

ANSWER: Objection. This request is ambiguous as the phrase “symptoms of shock” is not defined and subject to multiple interpretations; therefore, this request is ambiguous and

cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 18: Does Dr. _____ admit that Mr. _____'s drop of hematocrit during his stay at _____ was an indication of internal bleeding?

ANSWER: Objection. This request is ambiguous as the phrase "indication of internal bleeding" is subject to multiple interpretations and fails to refer to a specified time; therefore, this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 19: Does Dr. _____ admit that Mr. _____ drop of hemoglobin during his stay at _____ was an indication of internal bleeding?

ANSWER: Objection. This request is ambiguous as the phrase "indication of internal bleeding" is subject to multiple interpretations and fails to refer to a specified time; therefore, this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 20: Does Dr. _____ admit that he is unaware of any facts that would suggest or establish that the autopsy findings for _____ as contained in the autopsy report are inaccurate?

ANSWER: Objection. The request is ambiguous as the term "inaccurate" is subject to multiple interpretations; therefore this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 21: Does Dr. _____ admit that the autopsy findings for _____ as contained in the autopsy report are inaccurate?

ANSWER: Objection. The request is ambiguous as the term “inaccurate” is subject to multiple interpretations; therefore this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 22: Does Dr. _____ admit that one of the proximate causes of _____’s death was due to internal bleeding?

ANSWER: Objection. This request seeks the admission of an ultimate issue of fact in dispute that is beyond primary evidentiary facts. Moreover, the request seeks a legal conclusion. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 23: Does Dr. _____ admit that _____ suffered internal bleeding at some point in time after his fall at his home?

ANSWER: Objection. The request is ambiguous as the term “some point in time” is subject to multiple interpretations and does not specify any site of the internal bleeding; therefore this request is ambiguous and cannot be admitted or denied as phrased. Moreover, this request seeks the admission of an ultimate issue of fact in dispute that is beyond primary evidentiary facts and a legal conclusion. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 24: Does Dr. _____ admit that if he knew that _____ was suffering from internal bleeding while a patient at _____ he would have discontinued the anticoagulant that Mr. _____ was taking?

ANSWER: Objection. The request is ambiguous as the phrases “if he knew” and “internal bleeding” are subject to multiple interpretations and does not specify any site of the internal bleeding or refer to a specified time. Moreover, this request seeks the admission of an ultimate issue of fact in dispute that is beyond primary evidentiary facts and a legal conclusion. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 25: Does Dr. _____ admit that the anticoagulant medication that Mr. _____ was taking at _____ made it more difficult for Mr. _____ own blood to clot?

ANSWER: Objection. The request is ambiguous as there is no definition of “anticoagulant medication” and the phrase “made it more difficult” is subject to multiple interpretations; therefore this request is ambiguous and cannot be admitted or denied as phrased.. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 26: Does Dr. _____ admit that if he knew that _____ was suffering from internal bleeding while a patient at _____, he could have ordered diagnostic studies such as a C.T. scan to confirm the presence of internal bleeding?

ANSWER: Objection. The request is ambiguous as the phrases “diagnostic studies” and “internal bleeding” are subject to multiple interpretations and there is no reference to the site of

internal bleeding; therefore, this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 27: Does Dr. _____ admit that there was no need to delay filling out the death certificate for _____ for a period of five days following his death?

ANSWER: Objection. The request is ambiguous as the phrase "no need to delay" is subject to multiple interpretations; therefore this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 28: Does Dr. _____ admit that he has no specific memory of any conversation that he had with _____ at the time _____ was a patient at _____?

ANSWER: Defendant denies this Request.

REQUEST NO. 29: Does Dr. _____ admit that he never approved the transfer of _____ to _____?

ANSWER: Objection. The request is ambiguous as the term "approved" is subject to multiple interpretations; therefore this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 30: Does Dr. _____ admit that he never authorized the transfer of _____ to _____?

ANSWER: Objection. The request is ambiguous as the term "authorized" is subject to multiple interpretations; therefore this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 31: Does Dr. _____ admit that he never consulted with any of _____'s physicians at _____ while _____ was a patient at _____ ?

ANSWER: Objection. The request is ambiguous as the phrase "physicians at _____" is subject to multiple interpretations and does not specify the identity of any physicians; therefore this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 32: Does Dr. _____ admit that he never ordered any blood products for Mr. _____ while Mr. _____ was a patient at _____ ?

ANSWER: Objection. The request is ambiguous as the term "blood products" is subject to multiple interpretations; therefore this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 33: Does Dr. _____ admit that he knew that _____ had been treated by physicians at _____ before his admission to _____ ?

ANSWER: Objection. The request is ambiguous as the phrase “physicians at
” is subject to multiple interpretations does not specify the identity of the
physicians; therefore this request is ambiguous and cannot be admitted or denied as phrased.
Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 34: Does Dr. admit that he was taught in medical school that
internal bleeding can result from the type of fracture that sustained when he fell
at home?

ANSWER: Defendant is unable to admit or deny as phrased, as he cannot recall
everything he was taught in medical school compared to what he learned in his residency and
years of practicing medicine. Pursuant to Maryland Rules, to the extent a response is required,
this request is denied.

REQUEST NO. 35: Does Dr. admit that he was taught in medical school that
a significant drop in hematocrit and hemoglobin at the levels found in ’s blood
test results are suggestive of internal bleeding?

ANSWER: Defendant is unable to admit or deny as phrased, as he cannot recall
everything he was taught in medical school compared to what he learned in his residency and
years of practicing medicine. Pursuant to Maryland Rules, to the extent a response is required,
this request is denied.

REQUEST NO. 36: Does Dr. _____, admit that he was taught in medical school that a patient can be administered blood products such as fresh frozen plasma if a patient is suffering from internal bleeding?

ANSWER: Defendant is unable to admit or deny as phrased, as he cannot recall everything he was taught in medical school compared to what he learned in his residency and years of practicing medicine. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 37: Does Dr. _____ admit that if he had ordered fresh plasma for _____, that the administration of fresh frozen plasma more likely than not would have resulted in an elevation of Mr. _____'s hematocrit and hemoglobin levels?

ANSWER: Objection. The request is ambiguous as the phrase "if he had ordered fresh plasma" is subject to multiple interpretations and makes no reference as to any specified time; therefore this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 38: Does Dr. _____ admit that at the time he provided medical care for _____ that he did not know what the corresponding drop in hematocrit and hemoglobin levels would be if Mr. _____ lost one pint of blood?

ANSWER: Objection. The request is improper as it asks Dr. _____ for an admission beyond primary evidentiary facts and does not provide any specific time frame; therefore this request cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 39: Does Dr. _____ admit that at the time he provided medical care for _____ that he did not know what the corresponding drop in hematocrit and hemoglobin levels would be if Mr. _____ lost two pints of blood?

ANSWER: Objection. The request is improper as it asks Dr. _____ for an admission beyond primary evidentiary facts and does not provide any specific time frame; therefore this request cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 40: Does Dr. _____ admit that he now knows what the approximate corresponding drop in hematocrit and hemoglobin levels would be if one of his patients lost one pint of blood.

ANSWER: Objection. The request is improper as it asks Dr. _____ for an admission beyond primary evidentiary facts; therefore this request cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 41: Does Dr. _____ admit that a physician such as himself, with similar qualifications and experience, should know what the approximate corresponding drop in hematocrit and hemoglobin levels would be in a patient who loses one pint of blood?

ANSWER: Objection. The request is improper as it asks Dr. _____ for an admission beyond primary evidentiary facts; therefore this request cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 42: Does Dr. [redacted] admit that a physician such as himself, with similar qualifications and experience, should know what the approximate drop in hematocrit and hemoglobin levels would be in a patient who loses two pints of blood?

ANSWER: Objection. The request is improper as it asks Dr. [redacted] for an admission beyond primary evidentiary facts; therefore this request cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 43: Does Dr. [redacted] admit that a physician such as himself, who is treating a patient with injuries similar to that of [redacted], should do everything in his/her power to reverse the blood loss in a patient who is bleeding internally?

ANSWER: Objection. This request is ambiguous as the phrases "should do everything in his/her power", "reverse the blood loss" and "bleeding internally" are subject to multiple interpretations; therefore, this request is ambiguous and cannot be admitted or denied as phrased. Moreover, the request is improper as it asks Dr. [redacted] for an admission beyond primary evidentiary facts; therefore this request cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 44: Does Dr. [redacted] admit that there was nothing that would have prevented him from ordering fresh frozen plasma for Mr. [redacted] if he believed that Mr. [redacted] was suffering from internal bleeding at the site of his hip fracture?

ANSWER: Objection. This request is ambiguous as the term "prevented" and "fresh frozen plasma" are subject to multiple interpretations and does not provide any specific time

frame; therefore, this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 45: Does Dr. admit that he could have given Mr. Vitamin K which would have reversed the effects of the anti-clotting medications that Mr. was taking?

ANSWER: Objection. This request is ambiguous as the phrases "could have given", "reversed the effects", "anti-clotting medications" and "Vitamin K" are subject to multiple interpretations and does not provide any specific time frame; therefore, this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 46: Does Dr. admit that he could have given Mr. fresh frozen plasma which would have reversed the effects of the anti-clotting medications that Mr. was taking?

ANSWER: Objection. This request is ambiguous as the phrases "could have given", "reversed the effects" and "anti-clotting medications" are subject to multiple interpretations; therefore, this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 47: Does Dr. admit that a physician should not permit a patient such as to be administered anti-clotting medication if that patient is suffering from internal bleeding?

ANSWER: Objection. This request is ambiguous as the phrases “should not permit” and “anti-clotting medication” and “internal bleeding” are subject to multiple interpretations and does not provide any specific time frame; therefore, this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 48: Does Dr. _____ admit that he has never apologized to _____ for causing the death of _____ ?

ANSWER: Objection. This request involves the admission of the ultimate issues of fact in dispute, the cause of death, rather than primary evidentiary facts. Therefore, this request cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, defendant denies that he caused the death of _____

REQUEST NO. 49: Does Dr. _____ admit that he has never accepted any responsibility for causing the death of _____ ?

ANSWER: Objection. This request is ambiguous as the phrase “never accepted any responsibility for causing the death of” is subject to multiple interpretations. Therefore, this request cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, defendant denies that he caused the death of _____

REQUEST NO. 50: Does Dr. _____ admit that he had complete and timely access to _____ blood test results and all of Mr. _____ radiology films while he was treating Mr. _____ at _____ ?

ANSWER: Objection. This request is ambiguous as the phrase “complete and timely access” is compound in nature and subject to multiple interpretations and does not provide any specific time frame; therefore, this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 51: Does Dr. _____ admit that all of his medical records for _____ and all of Mr. _____’s _____ records for the time period that he was a patient at _____ are accurate and genuine business records, kept in the normal course of business?

ANSWER: Objection. The Request fails to provide the medical records to which it seeks the admission of genuineness; therefore, this request cannot be admitted or denied. Moreover, it is improper to seek an admission as to the “accuracy” of the documents. Pursuant to Maryland Rules, to the extent a response is required, this request is denied. However, Defendant will consider a stipulation as to the genuineness of medical records once clearly identified by the plaintiff.

REQUEST NO. 52: Does Dr. _____ admit that _____’s death certificate is a public record kept in the normal course of business and is accurate and genuine?

ANSWER: Objection. The Request fails to provide the document to which it seeks the admission of genuineness; therefore, this request cannot be admitted or denied. Moreover, it is improper to seek an admission as to the “accuracy” of the documents. Pursuant to Maryland Rules, to the extent a response is required, this request is denied. Defendant will consider a

stipulation as to the genuineness of the death certificate once it is clearly identified by the plaintiff.

REQUEST NO. 53: Does Dr. _____ admit that he signed _____'s death certificate on _____?

ANSWER: Defendant admits that he signed _____'s death certificate on _____.

REQUEST NO. 54: Does Dr. _____ admit that the contents of _____'s death certificate are accurate?

ANSWER: Objection. The request is ambiguous as the terms "accurate" and "contents" are subject to multiple interpretations; therefore this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 55: Does Dr. _____ admit that when he signed _____'s death certificate on _____, that he certified that the immediate causes of _____'s death were Renal Failure, Hepatic Failure, Exacerbation of autoimmune Disease, and Left Pelvic Fracture?

ANSWER: Objection. The request is ambiguous as the term "certified" is subject to multiple interpretations; therefore this request is ambiguous and cannot be admitted or denied as phrased. Moreover, the document speaks for itself. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 56: Does Dr. _____ admit that the medical examiner signed Mr. _____'s death certificate on _____?

ANSWER: Objection. The request is ambiguous as the term "medical examiner" is subject to multiple interpretations, as Defendant does not know the identity of the individuals signing the death certificate and the date on which it was signed; therefore this request is ambiguous and cannot be admitted or denied as phrased. Moreover, the document speaks for itself. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 57: Does Dr. _____ admit that the medical examiner who signed Mr. _____'s death certificate confirmed that the immediate causes of _____'s death were Renal Failure, Hepatic Failure, Exacerbation of autoimmune Disease, and Left Pelvic Fracture?

ANSWER: Objection. The request is ambiguous as the terms "medical examiner" and "confirmed" are subject to multiple interpretations as defendant has no knowledge of what the medical examiner did or did not do; therefore this request is ambiguous and cannot be admitted or denied as phrased. Moreover, the document speaks for itself. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 58: Does Dr. _____ disagree with the medical examiner who signed Mr. _____'s death certificate that the immediate causes of _____'s death were Renal Failure, Hepatic Failure, Exacerbation of autoimmune Disease, and Left Pelvic Fracture?

ANSWER: Objection. The request is ambiguous as the terms "disagree" and "medical examiner" are subject to multiple interpretations and the identity of the individual is not

specified. Moreover, this request is improper as it does not seek defendant to admit or deny the request; therefore this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, Defendant disagrees with the medical examiner who signed Mr. [redacted]'s death certificate that the immediate causes of [redacted]'s death were Renal Failure, Hepatic Failure, Exacerbation of autoimmune Disease, and Left Pelvic Fracture.

REQUEST NO. 59: Does Dr. [redacted] admit that no where on the death certificate does it indicate that [redacted] died from Kayexalate aspiration?

ANSWER: Objection. The document speaks for itself. Defendant admits this request only to the extent that the words "Kayexalate aspiration" are not contained on the death certificate. However, defendant states that at the time he signed the death certificate, the autopsy results and report were not available to him. Defendant denies the remainder of this request.

REQUEST NO. 60: Does Dr. [redacted] admit that he never made a written request of the medical examiner to change the cause of Mr. [redacted]'s death to Kayexalate aspiration?

ANSWER: Objection. The request is ambiguous as the term "medical examiner" is subject to multiple interpretations and the identity of the individual is not specified; therefore this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 61: Does Dr. [redacted] admit that he never made an oral request of the medical examiner to change the cause of Mr. [redacted]'s death to Kayexalate aspiration?

ANSWER: Objection. The request is ambiguous as the term "medical expert" is subject to multiple interpretations and the identity of the individual is not specified; therefore the request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rule 2-413, if the extent a response is required, this request is denied.

REQUEST NO. 62: Does Dr. [redacted] admit that prior to [redacted] he told any of his own expert medical witnesses that he believed that Mr. [redacted]'s proximate cause of death was due to Kayexalate aspiration?

ANSWER: Dr. [redacted] has never spoken with any of his expert medical witnesses; therefore this request cannot be admitted or denied as phrased. Pursuant to Maryland Rule 2-413, if the extent a response is required, this request is denied.

REQUEST NO. 63: Does Dr. [redacted] admit that prior to [redacted], he told any of his own expert medical witnesses that he believed that Mr. [redacted]'s proximate cause of death was due to Kayexalate aspiration?

ANSWER: Dr. [redacted] has never spoken with any of his expert medical witnesses; therefore this request cannot be admitted or denied as phrased. Pursuant to Maryland Rule 2-413, if the extent a response is required, this request is denied.

REQUEST NO. 64: Does Dr. [redacted] admit that Mr. [redacted] would not have needed Kayexalate if his potassium levels were within the normal range?

ANSWER: Objection. The request is ambiguous as the terms "needed" and "normal range" are subject to multiple interpretations and the request fails to identify a specified time

therefore this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 65: Does Dr. _____ agree with Mr. _____ receiving Kayexalate by mouth?

ANSWER: Objection. The request is ambiguous as the term “agree” is subject to multiple interpretations, fails to identify a specified time and it is improper as it does not seek defendant to admit or deny the request; therefore this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 66: Does Dr. _____ know that Kayexalate could have been administered to Mr. _____ rectally?

ANSWER: Objection. The request is ambiguous as the term “know” is subject to multiple interpretations, fails to identify a specified time, and is improper as it does not seek defendant to admit or deny the request; therefore this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 67: Does Dr. _____ admit that he was aware of Mr. _____’s autopsy findings before he signed the death certificate?

ANSWER: Denied.

REQUEST NO. 68: Does Dr. _____ admit that he never personally informed that he believed that _____ died of Kayexalate aspiration?

ANSWER: Defendant admits that he never personally informed _____ that he believed that _____ died of Kayexalate aspiration.

REQUEST NO. 69: Does Dr. _____ admit that when he signed the Plaintiff's Answers to Interrogatories under oath and subject to the penalties of perjury on _____, that none of his own expert witnesses had reached any opinion that _____ died from Kayexalate aspiration?

ANSWER: Objection. This request seeks information protected by the work product privilege and attorney client privilege; therefore, defendant refuses to respond to this Request.

REQUEST NO. 70: Does Dr. _____ admit that when he signed the Plaintiff's Answers to Interrogatories under oath and subject to the penalties of perjury on _____, that at least one of his own expert witnesses had reached the opinion that _____ died from Kayexalate aspiration, and that he failed to disclose that information to the Plaintiffs at that time?

ANSWER: Objection. This request seeks information protected by the work product privilege and attorney client privilege; therefore, defendant refuses to respond to this Request.

REQUEST NO. 71: Does Dr. _____ admit that he does not know what was the proximate cause of _____'s death?

ANSWER: Defendant admits only that he will defer to his experts to opine as to the cause of death of Mr. . Defendant denies the remainder of this request.

REQUEST NO. 72: Does Dr. deny that the proximate causes of 's death was due to Renal Failure, Hepatic Failure, Exacerbation of autoimmune Disease, and Left Pelvic Fracture?

ANSWER: Objection. This Request seeks the admission of the ultimate issues of fact in dispute, rather than primary evidentiary facts. Moreover, Defendant objects to the form of this request. Pursuant to Maryland Rules, to the extent a response is required, defendant denies that the proximate cause of 's death was due to Renal Failure, Hepatic Failure, Exacerbation of autoimmune Disease, and Left Pelvic Fracture.

REQUEST NO. 73: Does Dr. admit that one of the proximate causes of 's death was due to Renal Failure?

ANSWER: Objection. This Request seeks the admission of the ultimate issues of fact in dispute, rather than primary evidentiary facts. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 74: Does Dr. admit that one of the proximate causes of 's death was due to Hepatic Failure?

ANSWER: Objection. This Request seeks the admission of the ultimate issues of fact in dispute, rather than primary evidentiary facts. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 75: Does Dr. admit that one of the proximate causes of

's death was due to Exacerbation of autoimmune Disease?

ANSWER: Objection. This Request seeks the admission of the ultimate issues of fact in dispute, rather than primary evidentiary facts. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 76: Does Dr. deny that the proximate cause of

's death was due to Left Pelvic Fracture?

ANSWER: Objection. This Request seeks the admission of the ultimate issues of fact in dispute, rather than primary evidentiary facts. Moreover, defendant objects to the form of this request. Pursuant to Maryland Rules, to the extent a response is required, Dr. denies that the proximate cause of 's death was due to Left Pelvic Fracture.

REQUEST NO. 77: Does Dr. admit that during the time he was treating Mr.

at the hospital that he was unable to determine at what point that Mr. internal bleeding stopped?

ANSWER: Defendant denies this Request.

REQUEST NO. 78: Does Dr. admit that the standard of medical care applicable to him for the treatment of is the same standard of medical care that would apply to a similar skilled physician treating a patient with similar complaints and medical conditions at any hospital in the State of Maryland?

ANSWER: Objection. This Request seeks the admission of the ultimate issues of fact in dispute, rather than primary evidentiary facts. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 79: Does Dr. _____ admit that the standard of care applicable to him for the treatment of _____ is the same level and standard of care that would apply to a similar skilled physician treating a patient with similar complaints and medical conditions at _____ ?

ANSWER: Objection. This Request seeks the admission of the ultimate issues of fact in dispute, rather than primary evidentiary facts. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 80: Does Dr. _____ admit that had Mr. _____ not developed renal and hepatic failure that more likely than not he would not have died while under Dr. _____ 's care at _____ ?

ANSWER: Defendant denies this Request.

REQUEST NO. 81: Does Dr. _____ admit that _____ died while under his care at _____ ?

ANSWER: Objection. This request is ambiguous as the phrase "under his care" is subject to multiple interpretations; therefore, this request is ambiguous and cannot be admitted or denied as phrased. Pursuant to Maryland Rules, to the extent a response is required, this request is denied.

REQUEST NO. 82: Does Dr. _____ admit that _____ did not do, or failed to do, anything, that proximately contributed to his own death at _____

ANSWER: Defendant admits only that he is not raising a contributory negligence defense. Defendant denies the remainder of this request.

REQUEST NO. 83: Does Dr. _____ admit that _____ did not assume the risks of his own death?

ANSWER: Defendant admits only that he is not raising an assumption of risk defense. Defendant denies the remainder of this request.

REQUEST NO. 84: Does Dr. _____ admit that no other medical provider who treated Mr. _____, while he was a patient at _____, did anything, or failed to do anything, that proximately caused Mr. _____'s death?

ANSWER: Objection. The request involves an ultimate issue of fact in dispute. Pursuant to Maryland Rules, to the extent a response is required, defendant admits only that he is not claiming that any other medical provider breached the standard of care. Defendant denies the remainder of this Request.

REQUEST NO. 85: Does Dr. _____ admit that he will not be providing any personal testimony himself on the applicable standard of medical care and whether he did or did not breach the applicable standard of medical care in this case?

ANSWER: Defendant admits only that Dr. _____ will not be providing testimony as to the applicable standard of care as a designated standard of care expert pursuant to Md. Rule 2-402(g). Defendant denies the remainder of this request.

REQUEST NO. 86: Does Dr. _____ admit that he will not be providing any personal testimony himself on what was the proximate cause of _____'s death?

ANSWER: Defendant admits that he will not be providing any personal testimony himself on what was the proximate cause of _____'s death.

Respectfully submitted,

By: _____

Telephone:
Facsimile:

Telephone:
Facsimile:

Attorneys for