

Plaintiff
v.
Defendant

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE CITY, MARYLAND
* Civil Division
* Case No.:

* * * * *

ANSWERS TO INTERROGATORIES

TO: _____, Plaintiff
FROM: _____, Defendant

NOW COMES _____, INC., Defendant, by their undersigned attorneys, and in Answer to Interrogatories propounded by Plaintiff, states that:

The information supplied in these Answers to Interrogatories is not based solely on the knowledge of the executing party, but includes the knowledge of the party's agents, representatives, and, unless privileged, attorneys. The word usage and sentence structure of the attorney does not purport to be the exact language of the executing party. The Defendant answer as follows:

INTERROGATORY NO. 1: Please identify the person or persons responding to these Interrogatories on behalf of the Defendant and identify each person who has provided information in connection with these Interrogatories.

entrance to the doorway with a waste hopper, which completely extended the width of the doorway to prevent individuals from entering the room, and was still in place when the paramedics arrived. Defendant also posted a sign on the hopper, which stated

“CAUTION - KEEP OUT - ELECTRICIANS ONLY!”. , the supervisor at

 Middle School knew of the condition of the room before left that evening as they were going to return the following morning to conclude the work.

Additionally, the subject room where the alleged incident took place can only be locked and unlocked by school personnel

INTERROGATORY NO. 4: Identify any person not already named as a party to this lawsuit whom you contend caused or contributed to the occurrence complained of, including any architect, engineer, designer, contractor, subcontractor or others.

ANSWER TO INTERROGATORY NO. 4:

Defendant identifies no other parties at this time, but as discovery is ongoing,

Defendant reserves the right to supplement this Response.

INTERROGATORY NO. 5: Identify each employee, agent and/or servant with personal knowledge of the incident. For each such individual, identify his or her job title and job function being performed by that individual at the time of the occurrence.

ANSWER TO INTERROGATORY NO. 5:

Please see Answers to Interrogatories Nos. 1, 2 and 3.

INTERROGATORY NO. 6: Identify any individual you are aware of that has personal knowledge of the facts and circumstances of this case, including eyewitnesses, people claiming to be eyewitnesses and any individuals who arrived at the scene of the occurrence within five (5) hours after the occurrence.

ANSWER TO INTERROGATORY NO. 6:

This party has no direct knowledge of how the alleged occurrence took place. Additionally, this party objects to this Interrogatory as it is unduly burdensome and overly broad, as it is impossible for this party to identify all persons who were at the scene within five hours after the occurrence. Subject to and without waiving this objection, it is the belief of this party that in addition to Plaintiff, paramedics from Baltimore County were at the scene. It is believed _____ and _____ arrived at the scene and performed an investigation. _____, Of _____, Inc. was the General Contractor and has knowledge of this incident. Defendant reserves the right to supplement this Response as discovery is ongoing.

INTERROGATORY NO. 7: If anyone has investigated this matter for you including, but not limited to, medical experts, private investigators or insurance adjusters, state their name(s) and address(es), and state whether such investigation was reduced to writing, and the substance of their investigation and findings. If said investigators obtained any signed, recorded, transcribed or oral statement from any individual, identify the person who gave the statement and the present custodian of such statement.

ANSWER TO INTERROGATORY NO. 7:

This party objects and refuses to respond to this interrogatory to the extent that it seeks material that is privileged as attorney/client communication, attorney work product and/or prepared in anticipation of litigation. Subject to and without waiving this objection, Defendant's insurance adjusters and attorneys have investigated this matter.

INTERROGATORY NO. 8: Identify each person interviewed concerning the incident. For each such person state the date of the interview; the substance of the interview and if the interview was recorded and/or transcribed.

ANSWER TO INTERROGATORY NO. 8:

None.

INTERROGATORY NO. 9: Identify each and every written report made by any person concerning the incident.

ANSWER TO INTERROGATORY NO. 9:

This party objects and refuses to respond to this Interrogatory to the extent that it seeks material that is privileged as attorney/client communication, attorney work product and/or prepared in anticipation of litigation. Subject to and without waiving this objection, none.

INTERROGATORY NO. 10: Please state in your own words what you believe happened to the Plaintiff while she was on the premises, and include in your answer the basis upon which you have formed that belief.

ANSWER TO INTERROGATORY NO. 10:

Defendant objects and refuses to answer this Interrogatory as it has no direct knowledge of how the alleged occurrence took place and calls for speculation. This party further objects to this Interrogatory as it improperly attempts to reverse the burden of proof in this case, which is squarely on the Plaintiff. This party has no burden in this respect and may rely on the failure of proof to establish its non-liability.

INTERROGATORY NO. 11: Describe the lighting, both artificial and natural, of the area in question at the time the Plaintiff was injured.

ANSWER TO INTERROGATORY NO. 11:

Defendant was not on the premises at the time of the accident and cannot describe the lighting of the area in question.

INTERROGATORY NO. 12: If you know of the existence of any pictures, photographs, plats, visual recorded images, police reports, diagrams or objects relative to the occurrence, the Plaintiff's physical condition or the scene of the occurrence, identify the substance of such recording and the present custodian of each such item.

ANSWER TO INTERROGATORY NO. 12:

This party objects and refuses to answer this Interrogatory to the extent that it seeks material that is privileged as attorney/client communication, attorney work product and/or prepared in anticipation of litigation. This party further objects and refuses to respond to this Interrogatory to the extent that this request calls for the disclosure of information which could be used as impeachment evidence. Subject to and without waiving these objections, Defendant is in possession of photographs taken by the insurance adjuster and will not be produced.

All other documents, not privileged will be produced.

INTERROGATORY NO. 13: Do you know of any statement, conversation, comment, testimony or report made by any party to this lawsuit or witness, including the Plaintiff, made at the time of the occurrence or following the occurrence, concerning the occurrence or facts relevant to any issue in this case? If your answer is "yes," state the content of such statement, conversation, comment or report, the place where it took place and the custodian of such statement.

ANSWER TO INTERROGATORY NO. 13:

This party objects and refuses to respond to this interrogatory to the extent that it seeks material that is privileged as attorney/client communication, attorney work product and/or prepared in anticipation of litigation. Subject to and without waiving this objection, prepared a correspondence to , Inc. addressing the incident.

INTERROGATORY NO. 14: State the name and specialty of all experts whom you

propose to call as witnesses at trial, and for each expert state the subject matter on which the expert is expected to testify, the substance of the findings and opinions to which the expert is expected to testify and attach to your Answers copies of all written reports of each such expert.

ANSWER TO INTERROGATORY NO. 14:

Defendant has not yet determined who will be called as an expert to testify at trial.

Defendant reserves the right to supplement this response in compliance with the Scheduling Order issued by the Court as discovery is ongoing.

INTERROGATORY NO. 15: If you contend that any other entity or person, a party to or not a party to, this lawsuit, was responsible for the Plaintiffs injuries, identify such person, persons or entities, and give a concise statement of the facts upon which you rely.

ANSWER TO INTERROGATORY NO. 15:

See Response to Interrogatory No. 4.

INTERROGATORY NO. 16: Please identify your correct legal entity and identity, stating the date on which such entity was formed, the state of incorporation, the name(s) and address(es) of all officers, directors, general partners, limited partners and all other parties with an interest in your organization.

ANSWER TO INTERROGATORY NO. 16:

Defendant objects to this Interrogatory based on relevance. Subject to and without waiving this objection, the legal entity is

The entity was established as a Maryland S-Corporation on March 1, 2000. The officers are _____ and _____.

INTERROGATORY NO. 17: Identify any previous or subsequent incidents of which you are aware that occurred in substantially the same manner as the incident complained of in this lawsuit, giving the date, time and location and whether or not a claim was made as a result of such incident.

ANSWER TO INTERROGATORY NO. 17:

None.

INTERROGATORY NO. 18: Identify any procedures which you followed, at and before the time of the occurrence, concerning the inspection, repair, and/or maintenance, of the area where Plaintiffs injuries occurred.

ANSWER TO INTERROGATORY NO. 18:

The Project Foreman placed the electrical cover back onto the floor trough opening with the exception of a small area which contained the chain fall necessary for the following morning's work. Defendant's employees then blocked the entrance to the electrical room doorway with a waste cart weighing 1,200 pounds. Attached to the cart was a posted sign, which read "CAUTION - KEEP OUT - ELECTRICIANS ONLY!"

INTERROGATORY NO. 19: Identify any warnings, whether verbal or written (such as by a sign or otherwise) which were given to the Plaintiff specifically, and/or to other invitees to the premises known as Middle School, in general before the occurrence concerning the condition which caused or contributed to the occurrence.

ANSWER TO INTERROGATORY NO. 19:

See Response to Interrogatory No. 18.

INTERROGATORY NO. 20: Identify any admission(s) or declaration(s) against interest which you contend was made by Plaintiff following the incident in question.

ANSWER TO INTERROGATORY NO. 20:

As discovery is ongoing, Defendant reserves the right to supplement this response.

INTERROGATORY NO. 21: Identify when you were first notified that the area in which Plaintiff fell presented a hazardous condition to invitees on the premises because of the hole in the floor of the Electrical Room at Middle School.

ANSWER TO INTERROGATORY NO. 21:

Defendant objects to this Interrogatory as it calls for speculation and asserts facts that are not necessarily the case. Subject to and without waiving said objection, Defendant states it was first aware of the incident on the morning of when it returned to work at Middle School.

INTERROGATORY NO. 22: At the time of Plaintiffs injury, do you contend that any person or entity other than you and/or your employees, agents and/or servants was responsible for the securing of the Electric Room, or the hole in the floor in question in the Electric Room, at Middle School where Plaintiff alleges she was injured? If so, state each and every fact on which you base your contention and identify each and every writing that supports that contention.

ANSWER TO INTERROGATORY NO. 22:

Defendant contends that Middle School personnel were responsible for locking and unlocking the electrical room as Defendant did not have access to this room.

INTERROGATORY NO. 23: Describe in detail any conversation(s) any representative(s) had with the Plaintiff prior to, or following, the occurrence.

ANSWER TO INTERROGATORY NO. 23:

None.

INTERROGATORY NO. 24: What efforts were made by the Defendant to correct the condition which Plaintiff contends caused her injuries?

ANSWER TO INTERROGATORY NO. 24:

Defendant objects to and refuses to respond to this Interrogatory as this Response seeks information and documents which are remedial in nature.

There is no Interrogatory No. 25.

INTERROGATORY NO. 26: Please describe what training procedures, if any, are followed in the course of training Defendant's employees with regard to securing a premise for the safety of any invitees where ongoing work is being performed. This includes any and all written material, slides, photographs, films, videotapes, etc. which Defendant utilizes in training employees.

ANSWER TO INTERROGATORY NO. 26:

Defendant objects to this Interrogatory based on relevance. Subject to and without waiving said objection, Defendant has in place a safety manual. In addition to the safety manual Defendant performs weekly "tool box talks" and provides foreman training, i.e.

attended

Form 2-421.6
Answers to Interrogatories
- Oath (Corporate Verification)

I, _____, am James T., regarding this claim. I am duly authorized by the corporation to execute these Answers to Interrogatories under oath on its behalf. The information set forth in these answers was collected by others, and such information is not necessarily within my personal knowledge. However, on behalf of the corporation, I solemnly affirm under the penalties of perjury that the foregoing Answers to Interrogatories are true to the best of my knowledge, information and belief.

Plaintiff
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Defendant

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* Civil Division
* Case No.:

* * * * *

NOTICE OF SERVICE OF DISCOVERY

I HEREBY CERTIFY that on this 12th day of November, 2010, a copy of the Defendant's Answers to Interrogatories was mailed, first class, postage prepaid, to:

Laura G. Zois, Esq.
John B. Bratt, Esq.
Miller & Zois, LLC
Empire Towers, Suite 1001
7310 Ritchie Highway
Glen Burnie, Maryland 21061
Attorney for Plaintiff,

Respectfully submitted,

Attorneys for Defendant, *