

Request No. 3: All written, recorded and/or signed statements of any person, including the Plaintiff, Defendants, witnesses, investigators or any agent, representative or employee of the parties, concerning the subject matter of this action.

RESPONSE: This Defendant objects to the extent that this Request seeks impeachment evidence, documents prepared in anticipation of litigation, and privileged communications. Without waiving said objection and subject thereto, see attached police report, which may or may not contain an accurate diagram.

Request No. 4: All photographs, vehicle property damage estimates, videotapes or audio tapes, x-rays, diagrams, medical records, surveys or other graphic representations of information concerning the subject matter of this action, the Plaintiff, all automotive property damage or other damage.

RESPONSE: The Defendant objects to that portion of this Request that would require the disclosure of the existence of any impeachment evidence. These items, if they exist, would have been created in anticipation of litigation and/or would be work product. If such materials exist and are to be used for substantive purposes, their identity and existence will be disclosed after the Plaintiff's deposition. Without waiving said objection, this Defendant is in possession of two (2) photographs of Defendants vehicle and four (4) photographs of Plaintiff vehicle. Defendant is also in possession of the police report, which may or may not contain an accurate diagram.

Request No. 5: The accident register maintained as required by federal regulations.

RESPONSE: Pursuant to §390.15, Defendant is only required to possess the accident register for a period of three (3) years. Defendant is no longer in possession of this accident register.

Request No. 6: If ISO certified, please produce all ISO certification

documents.

RESPONSE: None.

Request No. 7: All documents prepared concerning all inspections of the vehicle involved in the accident complained of in the Plaintiff's Complaint.

RESPONSE: **Objection. This Request is overly broad, unduly burdensome and seeks to discover information not reasonably calculated to lead to the discovery of admissible evidence.**

Request No. 8: All leases, contracts or agreements between any of the parties to this lawsuit that were in effect at the time of the accident.

RESPONSE: None.

Request No. 9: The entire personnel file of Defendant (hereinafter "Defendant Driver").

RESPONSE: **Objection. This Request is overly broad, unduly burdensome and seeks to discover information not reasonably calculated to lead to the discovery of admissible evidence.**

Request No. 10: The employment application for Defendant Driver.

RESPONSE: **Objection. This Request is overly broad, unduly burdensome and seeks to discover information not reasonably calculated to lead to the discovery of admissible evidence.**

Request No. 11: Any notes from anyone who interviewed the Defendant Driver.

RESPONSE: **Objection. This Request is overly broad, unduly burdensome and seeks to discover information not reasonably calculated to lead to the discovery of admissible evidence.**

Request No. 12: Any reports received or generated regarding the Defendant Driver's safety record.

RESPONSE: See Response Nos. 2 and 11.

Request No. 13: Any reports regarding the Defendant Driver's criminal background check.

RESPONSE: Objection. This Request is overly broad, unduly burdensome and seeks to discover information not reasonably calculated to lead to the discovery of admissible evidence.

Request No. 14: The Defendant Driver's driving record.

RESPONSE: Objection. This Request is overly broad, unduly burdensome and seeks to discover information not reasonably calculated to lead to the discovery of admissible evidence.

Request No. 15: The Defendant Driver's employment history.

RESPONSE: Objection. This Request is overly broad, unduly burdensome and seeks to discover information not reasonably calculated to lead to the discovery of admissible evidence.

Request No. 16: All documentation regarding any contact with any prior employers of Defendant Driver prior to hiring Defendant Driver.

RESPONSE: Objection. This Request is overly broad, unduly burdensome and seeks to discover information not reasonably calculated to lead to the discovery of admissible evidence.

Request No. 17: All medical documentation in your possession regarding the health of Defendant Driver.

RESPONSE: Objection. This Request is overly broad, unduly burdensome and seeks to discover information not reasonably calculated to lead to the discovery of admissible evidence.

Request No. 18: All documentation in your possession regarding any insurance of the Defendant Driver.

RESPONSE: See attached policy documents.

Request No. 19: A copy of the Defendant Driver's license.

RESPONSE: See Response No. 17.

Request No. 20: A copy of the completion, attempts or non-completion of any safe driving programs by Defendant Driver.

RESPONSE: Objection. This Request is overly broad, unduly burdensome and seeks to discover information not reasonably calculated to lead to the discovery of admissible evidence.

Request No. 21: The entire qualification file or any file regarding any investigation into the qualifications of the Defendant Driver before he was hired or retained.

RESPONSE: Objection. This Request is overly broad, unduly burdensome and seeks to discover information not reasonably calculated to lead to the discovery of admissible evidence.

Request No. 22: The entire drug and alcohol file of Defendant Driver, including, but not limited to, pre-employment, post-accident, random, reasonable suspicion and return to duty drug and alcohol testing results.

RESPONSE: Objection. This Request is overly broad, unduly burdensome and seeks to discover information not reasonably calculated to lead to the discovery of admissible evidence.

Request No. 23: The entire safety performance history file for Defendant Driver.

RESPONSE: Objection. This Request is overly broad, unduly burdensome and seeks to discover information not reasonably calculated to lead to the discovery of admissible evidence.

Request No. 24: Any other files kept concerning Defendant Driver.

RESPONSE: Objection. This Request is overly broad, unduly burdensome and seeks to discover information not reasonably calculated to lead to the discovery of admissible evidence.

Request No. 25: Any and all payroll and benefit records for Defendant Driver for five (5) years prior to the collision to one year after.

RESPONSE: Objection. This Request is overly broad, unduly burdensome and seeks to discover information not reasonably calculated to lead to the discovery of admissible evidence.

Request No. 26: Any and all cancelled checks of any kind paid to Defendant Driver for twelve (12) months prior and six (6) months after the collision.

RESPONSE: Objection. This Request is overly broad, unduly burdensome and seeks to discover information not reasonably calculated to lead to the discovery of admissible evidence.

Request No. 27: All logs - official or unofficial of Defendant Driver for the six (6) months prior to the collision and for thirty (30) days after the collision.

RESPONSE: Objection. This Request is overly broad, unduly burdensome and seeks to discover information not reasonably calculated to lead to the discovery of admissible evidence.

Request No. 28: Any and all records of health insurance claims, disability claims, sickness or doctors' excuses or disability slips of Defendant Driver in your possession.

RESPONSE: Objection. This Request is overly broad, unduly burdensome and seeks to discover information not reasonably calculated to lead to the discovery of admissible evidence.

Respectfully submitted,

By: _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing **Defendant,**
's Responses to Plaintiff's Request for Production of Documents was mailed postage paid, this 27th day of July, 2010 to:

John B. Bratt, Esquire
MILLER & ZOIS, LLC
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7310 Ritchie Highway
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410-553-6000
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Attorney for Plaintiff

By: _____