

HELPING INJURED PEOPLE



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PHONE: (800) 790-3504

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IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO COUNTY, FLORIDA

Plaintiff, CASE NO.:
DIVISION:

vs.

Defendant.

NOTICE OF SERVING PLAINTIFF'S FIRST SET OF INTERROGATORIES

In accordance with the Florida Rules of Civil Procedure, 1.340, you are hereby required to answer under oath the attached Interrogatories, numbered 1 through 30, within forty-five (45) days from the date of service.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by service of process to the above-named Defendant.

Scott Distasio, Esquire
Bar No.: 843652
DISTASIO LAW FIRM
2107 West Cass Street; Suite A
Tampa, Florida 33606
813-259-0022 phone
813-259-0033 facsimile
Attorney for Plaintiff

DEFENDANT FIRST SET OF INTERROGATORIES TO WOODTRAIL CONDOMINIUM
ASSOCIATION

1. Please identify all persons participating in the answering of these interrogatories.

Identify means list their name; address; telephone number; and if a person list their employer at the time of the events described in the complaint; job title or job responsibilities; whether they are a current or former agent, contractor or employee of any defendant; their social security number and date of birth.

2. State the full legal name and all former names of the defendant you are responding on behalf of, its addresses for the past ten years, and the dates it was located at each address.

3. Please state whether you believe the defendant you are responding on behalf of is properly named in this lawsuit and is a proper party to this lawsuit. If you do not believe so, please:

- a. State the basis for your belief;
- b. identify the proper name of the defendant you are responding on behalf of; and
- c. identify the person or entity that is a proper party to this lawsuit.

Identify means list their name; address; telephone number; and if a person list their employer at the time of the events described in the complaint; job title or job responsibilities; whether they are a current or former agent, contractor or employee of any defendant; their social security number and date of birth.

4. Describe any and all policies of insurance which cover or may cover the defendant you are responding on behalf of for the allegations set forth in Plaintiff's Complaint, detailing as to such policies the name of the insurer, policy number, the effective dates of the policy, the available limits of liability, and the name and address of the custodian of the policy.

5. Do you contend any defendant named in this action may be liable in whole or part for the claims or damages asserted? If so, state the full name of each such defendant, 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 defendant of your contention.

6. Do you contend any plaintiff named in this action may be liable in whole or part for the claims or damages asserted? If so, state the full name of each such plaintiff, 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 plaintiff of your contention.

7. Do you contend any person or entity not named as a party to this action may be, liable in whole or part for the claims or damages asserted? If so, please identify 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 of your contention.

Identify means list their name; address; telephone number; and if a person list their employer at the time of the events described in the complaint; job title or job responsibilities; whether they are a current or former agent, contractor or employee of any defendant; their social security number and date of birth.

8. Did any person witness the incident involving the plaintiff? If so, please identify the witness and location from which he/she witnessed the events.

Identify means list their name; address; telephone number; and if a person list their employer at the time of the events described in the complaint; job title or job responsibilities; whether they are a current or former agent, contractor or employee of any defendant; their social security number and date of birth.

9. Please identify all outside contractors responsible for the cleaning, maintenance and/or inspection of the area described in the complaint on the date of the alleged occurrence.

Identify means list their name; address; telephone number; and if a person list their employer at the time of the events described in the complaint; job title or job responsibilities; whether they are a current or former agent, contractor or employee of any defendant; their social security number and date of birth.

10. Please identify all employees of the defendant you are responding on behalf of that were responsible for the cleaning, maintenance and/or inspection of the area described in the complaint on the date of the alleged occurrence.

Identify means list their name; address; telephone number; and if a person list their employer at the time of the events described in the complaint; job title or job responsibilities; whether they are a current or former agent, contractor or employee of any defendant; their social security number and date of birth.

11. Please identify all persons employed by the defendant you are responding on behalf of that work at the premises where the events described in the complaint occurred and that were employed on the day of the incident regardless of whether or not they worked on the day of the incident. In addition, please state whether each person worked on the day of the incident and if so, state their location at the time of the incident.

Identify means list their name; address; telephone number; and if a person list their employer at the time of the events described in the complaint; job title or job responsibilities; whether they are a current or former agent, contractor or employee of any defendant; their social security number and date of birth.

12. Please identify all persons employed by the defendant you are responding on behalf of that worked at the premises where the events described in the Complaint occurred during the one (1) year period prior to the incident. In addition, please state whether each person worked on the day of the incident.

Identify means list their name; address; telephone number; and if a person list their employer at the time of the events described in the complaint; job title or job responsibilities; whether they are a current or former agent, contractor or employee of any defendant; their social security number and date of birth.

13. Were any statements obtained by the defendant you are responding on behalf of or on its behalf from any person concerning the incident involving the plaintiff? If so, please:

- a. state the date and time the statement was obtained,
- b. identify each person that gave the statement;
identify each person that obtained the statement;
- c. state the substance of the statement;
- d. state whether the statement was written or oral;
- e. identify the person having custody or control of each statement; and
- f. state the current location of each statement.

Identify means list their name; address; telephone number; and if a person list their employer at the time of the events described in the complaint; job title or job responsibilities; whether they are a current or former agent, contractor or employee of any defendant; their social security number and date of birth.

14. Please state the name or title of and describe all written documents that are given to new employees at the time they are hired or during initial training sessions.

15. Please state the name or title of and describe all videotapes, films, or audio tapes that new employees view or listen to at the time of their initial hiring and training.

16. Does the defendant you are responding on behalf of have any incident reports involving the plaintiff in its custody or control? If so, please:

- (a) state the name of each report;
- (b) state the date of each report;

- (c) identify each person that signed each report;
- (d) identify each person that was mentioned in each report;
- (d) identify the person having custody or control of each report; and
- (e) state the current location of each report.

Identify means list their name; address; telephone number; and if a person list their employer at the time of the events described in the complaint; job title or job responsibilities; whether they are a current or former agent, contractor or employee of any defendant; their social security number and date of birth.

17. Do you know of anyone who took or claims to have taken any photographs or videos of the area described in the complaint, the persons or objects involved? If so, state the subject matter of such photographs, the date each was taken, identify the person or persons taking such photographs or videos and identify each person who has possession or control of such photographs or videos.

Identify means list their name; address; telephone number; and if a person list their employer at the time of the events described in the complaint; job title or job responsibilities; whether they are a current or former agent, contractor or employee of any defendant; their social security number and date of birth.

18. Are safety meetings held regularly? If so, please identify the person in charge of preparing and conducting these safety meetings.

Identify means list their name; address; telephone number; and if a person list their employer at the time of the events described in the complaint; job title or job responsibilities; whether they are a current or former agent, contractor or employee of any defendant; their social security number and date of birth.

19. Did the defendant you are responding on behalf of have any type of system in place to discover dangerous conditions on the premises? If so, please describe the system in detail and list all documents that describe the system.

20. Please describe the lighting in the location where the incident involving the plaintiff occurred. If the lighting was by artificial means, state the type of lights used, the number of lights, the wattage of each light, and the distance of each light from the place where the incident involving the plaintiff occurred.

21. Were there any warning signs posted before or after the incident involving the plaintiff? If so, please state the dates and times the signs were present, what was printed on the signs, and the location of the signs.

22. Were repairs made to the area where the incident involving the plaintiff occurred at any time? If so, please describe the nature of the repairs, when the repairs were made, and identify the persons or entities involved in making the repairs.

Identify means list their name; address; telephone number; and if a person list their employer at the time of the events described in the complaint; job title or job responsibilities; whether they are a current or former agent, contractor or employee of any defendant; their social security number and date of birth.

23. Please describe in detail the floor surface where the incident involving the plaintiff occurred, including when it was installed, the material used, the manufacturer make, model number, serial number, size, color and any other identifying feature of the floor surface.

24. Was there a rug, mat, or other form of ground covering on the floor at the time and location where the incident involving the plaintiff occurred? If so, describe such floor covering including when it was installed, the material used, the manufacturer, make, model, serial number, size, color, manner by which it was fastened to the floor and any other identifying feature of the floor covering.

25. Was there a crack, hole, or other defect in the floor surface or floor covering at the time and location where the incident involving the plaintiff occurred? If so, please:

- a. describe each such defect;
- b. identify each agent or employee who was aware of the presence of the defect;
- c. state the time and date the defendant you are responding on behalf of became aware of the defect;
- d. state whether notice of the defect was in writing or oral;
- e. state the circumstances under which notice of the defect was received;
- f. describe any action which was taken as a result of notice of the defect; and
- g. identify each person, agent or employee who informed the defendant of the defect.

Identify means list their name; address; telephone number; and if a person list their employer at the time of the events described in the complaint; job title or job responsibilities; whether they are a current or former agent, contractor or employee of any defendant; their social security number and date of birth.

26. Please state the name or title of and describe all contracts between the defendant you are responding on behalf of and any defendant that were in place at the time of events described in the complaint.

27. Please state whether there have been other falls at the location where plaintiff fell at any time before or after the events described in the Complaint. If so, please:

- a. identify the person that fell;
- b. identify any witnesses to the fall;
- c. identify any agents or employees that have knowledge of the fall;
- d. state what the person alleges caused them to fall;
- e. state the date and time of the fall;
- f. describe the location where the person fell; and
- g. describe any safety precautions taken after the fall.

Identify means list their name; address; telephone number; and if a person list their employer at the time of the events described in the complaint; job title or job responsibilities; whether they are a current or former agent, contractor or employee of any defendant; their social security number and date of birth.

28. Please state whether there have been other falls at the premises, complex, or property at any time within the five (5) years prior to the events described in the Complaint regardless of whether it was the same location where plaintiff fell. If so, please:

- a. identify the person that fell;
- b. identify any witnesses to the fall;
- c. identify any agents or employees that have knowledge of the fall;

- d. state what the person alleges caused them to fall;
- e. state the date and time of the fall;
- f. describe the location where the person fell; and
- g. describe any safety precautions taken after the fall.

Identify means list their name; address; telephone number; and if a person list their employer at the time of the events described in the complaint; job title or job responsibilities; whether they are a current or former agent, contractor or employee of any defendant; their social security number and date of birth.

29. Please state whether or not there were any county building code violations, Life Safety Code violations as incorporated into Florida Statutes, and or National Bureau of Standard's Guidelines violations involving the location where plaintiff fell. If so, please describe the violation in detail.

30. State whether or not you contend a foreign substance, liquid, or debris was on the floor at the time before or at the time plaintiff fell and if so, please:

- a. State whether the defendant you are responding on behalf of or any of its agents, contractors or employees were aware of the presence of the foreign substance, liquid or debris on the floor at any time before or after the incident involving the plaintiff occurred;
- b. describe the foreign substance, liquid, or debris;
- c. State whether or not you contend the foreign substance, liquid, or debris on the floor caused or substantially contributed to plaintiff falling;
- d. State whether or not you contend plaintiff sustained injuries as a result of falling and the facts or evidence upon which your contention is based.
- e. identify each agent or employee who was aware of the presence of the foreign substance, liquid or debris;
- f. state the time, date, and how long before or after the incident involving the plaintiff that the defendant you are responding on behalf of became aware of presence of the foreign substance, liquid or debris;
- g. state whether notice of the foreign substance, liquid or debris was in writing or oral and the circumstances under which the notice was received;
- h. describe any action which was taken as a result of notice of the foreign substance, liquid or debris; and
- i. identify each person who informed the defendant you are responding on behalf of that a foreign substance, liquid, or debris was present.

Identify means list their name; address; telephone number; and if a person list their employer at the time of the events described in the complaint; job title or job responsibilities; whether they are a current or former agent, contractor or employee of any defendant; their social security number and date of birth.

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me, this _____ day of _____, 200__, by _____, who is personally known to me or who has produced _____ as identification and states that he/she is the person who answered the foregoing Interrogatories and that all the Interrogatories were answered truthfully and completely to the best of his/her knowledge.

Notary Public

(SEAL)

Print Name of Notary Public
a Notary Public
My Commission Expires:
Commission No.: