V I R G I N I A:

IN THE CIRCUIT COURT OF

 \*

Plaintiff \*

 \*

v. \* Case No.

 \*

 \*

 \*

Defendant \*

 ***FIRST SET OF INTERROGATORIES***

**To: All Defendants**

Pursuant to the Rules of the Court, the undersigned propounds the following Interrogatories to be answered separately, under oath and in writing, in accordance with said Rules.

Guidelines for Answers to Interrogatories:

 (a) These Interrogatories are continuing in nature so as to require the filing of supplemental answers and responses without further request should additional information or information inconsistent with the information contained in the answers and responses to these Interrogatories become available to the party or parties to whom these Interrogatories are directed.

(b) Where information or knowledge in the possession of a party is requested, such request includes knowledge in the possession of the party's agent(s), employee(s), next friend(s), guardian(s), representative(s) and, unless privileged, the party's attorney(s).

(c) Unless otherwise indicated, these Interrogatories refer to the time, place and circumstances of the events/incident mentioned or complained of in the pleadings (hereafter “the incident”).

(d) Where the name of a person or entity is requested, state the full name, home address, business address, and office and home telephone numbers.

(e) Where the identity of a document, whether in paper, electronic or other format, is requested, state (i) the date of the document; (ii) the author or identity of the document and addresses, if applicable; (iii) the present location of the document; and (iv) the person having custody of the document.

(f) The pronoun 'you' or 'your' refers to the party(ies) to whom these Interrogatories are addressed, and the persons and/or entities mentioned in clause (b) above. When appropriate, the masculine gender may be considered to be substituted for the feminine gender and vice versa, and the singular may be considered substituted for the plural and vice versa.

(g) When you are asked to disclose facts which support your position, state the source of those facts.

(h) The definitions and instructions contained in this party's First Request of Documents and Things are incorporated herein and made a part hereof.

**INTERROGATORY NO. 1**

Fully identify the individual answering these Interrogatories. If they are answered on behalf of an entity, your answer is to include title, job description, responsibilities and length of employment with this entity, and state whether you are acting as an agent of this party in responding to these Interrogatories.

**Answer:**

**INTERROGATORY NO. 2**

 Identify, in the manner described in paragraph (d) of the Guidelines, each person with knowledge of the facts relevant to the subject matter of this action. Separately, for each person, state a brief description of the information you contend is known by such persons.

**Answer:**

**INTERROGATORY NO. 3**

Identify each person who you expect to call as an expert witness at the hearing or trial of this matter and state the subject matter upon which the expert is expected to testify, the substance of the facts and opinions to which the expert is expected to testify, a summary of the grounds for each opinion, and the qualifications and professional background of such expert.

**Answer:**

**INTERROGATORY NO. 4**

If you are aware of any statements, oral or written, made by the party propounding these Interrogatories relating to the incident or to the damages alleged to be caused by the incident, state the date and substance of such, whether such statement is in whole or in part in any documentary form, the name and address of the custodian of such statement, and the identity of the witnesses to such statement.

**Answer:**

**INTERROGATORY NO. 5**

If you have any facts indicating that any party to this lawsuit, or any person whose identity is called for in Interrogatory 1 or 2, or any other person identified as a potential witness at trial has been convicted of a felony or crime of moral turpitude, identify such person, the crime convicted of, and the date of such.

**Answer:**

**INTERROGATORY NO. 6**

If you have any facts to indicate that any party to this action has not been properly identified herein, lacks capacity to be a party or is improperly joined, state those facts.

**Answer:**

**INTERROGATORY NO. 7**

 State with as much detail as you can how you contend the incident happened. Your answer should include the date, time and location of the incident and the events relating thereto in their chronological order.

**Answer:**

**INTERROGATORY NO. 8**

With respect to any affirmative defense asserted in this case, state and identify:

(a) the facts which support such;

(b) the persons with knowledge of any facts concerning such, together with a brief description of the facts you contend to be known by such person; and

(c) the documents and things which contain, relate or refer to facts which prove or disprove that issue.

**Answer:**

**INTERROGATORY NO. 9**

If you suffered/incurred any injuries/damages relating to the incident which is the subject of this litigation then state in detail what those damages/injuries were.

**Answer:**

**INTERROGATORY NO. 10**

If you have any facts that the Plaintiff has not suffered/incurred the damages and/or injuries alleged in this litigation then state those facts.

**Answer:**

**INTERROGATORY NO. 11**

If you or anyone on your behalf has at any time after the incident posted anything on social media referring or relating to the incident or your physical or mental condition after the incident then state the name of the media, when the posting was made and the content of such.

**Answer:**

**INTERROGATORY NO. 12**

To the extent you have any knowledge of such, describe in detail everything that each of the parties to this lawsuit (including yourself) did one hour before and one hour after the incident.

**Answer:**

**INTERROGATORY NO. 13**

Describe in detail everything which any of the parties to this lawsuit did in an attempt to avoid the incident.

**Answer:**

**INTERROGATORY NO. 14**

If any person other than the parties to this lawsuit in any way caused or contributed to cause the happening of the incident, fully identify such person and describe in detail how and in what manner such person caused or contributed in any way to the incident.

**Answer:**

**INTERROGATORY NO. 15**

If any party to this lawsuit consumed any alcohol, narcotic, hallucinogen, barbiturate, or marijuana at any time during the twenty four hour period preceding the incident, identify the person using such, the type and amount of substance consumed, the location and time of consumption, and the names of any witnesses to such consumption.

**Answer:**

**INTERROGATORY NO. 16**

Identify the place you were coming from at the time of the incident, the time you left there, the place you were going to at the time of the incident, and your estimated time of arrival at such place.

**Answer:**

**INTERROGATORY NO. 17**

State whether any part of any judgment which might be rendered against you in this action may be subject to satisfac­tion by an insurance policy. If such an insurance policy exists, state the policy limits, the name of the insured on the policy and the name of the insurance company issuing the policy.

**Answer:**

**INTERROGATORY NO. 18**

Fully describe any damage done to any vehicle involved in this incident, the place of impact on each vehicle, and the approximate cost of repair to each vehicle.

**Answer:**

**INTERROGATORY NO. 19**

State how fast each of the vehicles involved in this incident were going:

(a) 150 feet before the place of impact.

(b) 50 feet before the place of impact.

(c) At the place of impact.

**Answer:**

**INTERROGATORY NO. 20**

If anything to your knowledge prevented any motorist involved in this incident from seeing any other vehicle involved prior to the impact, describe the nature and location of such.

**Answer:**

**INTERROGATORY NO. 21**

State whether the individual defendant was operating a vehicle at the time of incident:

(a) On behalf of someone else; if so, who.

(b) Within the scope of employment of someone; if so, who.

(c) With the implied or express consent of someone else; if so, who.

**Answer:**

**INTERROGATORY NO. 22**

Describe in detail all injuries you suffered as a result of this incident, stating the names of any health care providers who rendered medical assistance to you.

**Answer:**

**INTERROGATORY NO. 23**

With reference to the time when you first observed the motor vehicle owned, operated, or occupied by the plaintiff, state the approximate distance in feet:

(a) between the motor vehicle operated by you and the point of the incident;

(b) between the motor vehicle operated by you and the motor vehicle owned, operated or occupied by the plaintiff; and

(c) between the motor vehicle owned, operated or occupied by the plaintiff and the point of the incident.

**Answer:**

**INTERROGATORY NO. 24**

State in detail everything you did from the time you first saw the motor vehicle occupied by the plaintiff up to the time that the motor vehicles came in contact with each other.

**Answer:**

**INTERROGATORY NO. 25**

Describe in detail the course or varying courses:

(a) of the motor vehicle operated by you from the time you first saw the motor vehicle, owned, operated, or occupied by the plaintiff until your vehicle first came to a stop after the impact;

 (b) of the motor vehicle owned, operated, or occupied by the plaintiff from the time first seen by you up to the time this vehicle came to a stop after the collision.

**Answer:**

**INTERROGATORY NO. 26**

If you ever applied the brakes, state:

(a) the length of time in seconds the brakes were applied before the incident happened;

(b) the distance in feet from the point of the incident when the tires of the motor vehicle operated by you first started to make skid marks or tire marks on the road.

**Answer:**

**INTERROGATORY NO. 27**

If there were any tire marks or other marks on the road as a result of the incident, describe the marks in detail as to length in feet and location on the road surface, and identify which motor vehicle made each mark.

**Answer:**

**INTERROGATORY NO. 28**

Describe in as much detail as possible the weather condi­tions at the time and place of the incident, including in your answer details of light, temperature, humidity, cloud cover, wind velocity, wind direction and type of precipitation, if any.

**Answer:**

**INTERROGATORY NO. 29**

With respect to the lighting and lighting conditions at the time of the incident, about, above, or within the location of such incident:

(a) describe the lighting conditions as fully and com­pletely as you can;

(b) state whether the lighting condition included artifi­cial or natural light, or both, indicating which.

**Answer:**

**INTERROGATORY NO. 30**

If you were using or looking at a cell phone or other electronic device, texting or emailing within ten (10) minutes before or after the incident then state:

(a) the name of the company that provides the service;

(b) the name and phone number of the subscriber.

**Answer:**

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*Counsel for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

***CERTIFICATE OF SERVICE***

I hereby certify that a true copy of the foregoing was sent this \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_ by: \_\_\_\_\_\_\_\_ regular mail, postage pre-paid

\_\_\_\_\_\_\_\_ facsimile

\_\_\_\_\_\_\_\_ electronic mail

\_\_\_\_\_\_\_\_ hand delivery

To:

 *Counsel for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

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 Brien A. Roche, Esq.