V I R G I N I A:

IN THE CIRCUIT COURT OF

\*

Plaintiff \*

\*

vs. \* Case No.

\*

\*

\*

Defendant \*

 FIRST REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS

**To: ALL DEFENDANTS**

Pursuant to the Rules of the Court, the undersigned hereby requests the production for inspection and copying of the following documents and/or things, to be produced at the law offices of the undersigned within the time period prescribed by the Rules.

 Definitions and Instructions

A. As used herein, the word "document" and its cognates refer to all writings or other tangible or electronic records including, but not limited to, all copies of any written, printed or typed material, photostatic copies, photographic, and recorded matters of any kind or character, correspondence, notes, memoranda, studies, research, reports, test results, proposals, advertising brochures, memoranda, newspaper or magazine articles, press/news releases, drawings, labels, warnings, brochures, instructions, literature, package inserts, or any other type of writing or record that pertains in any way to the documents sought below.

B. As used herein, the word "document" includes all copies unless such copies (including notations and marks thereon) are exact duplicates of documents that are produced.

C. The term "defendant", as used herein, shall mean each and every defendant named in this cause of action and their respective employees, agents and representatives.

D. All documents produced should be numbered consecutively in the lower right-hand corner. Each paragraph of your response should state which numbered documents are being produced in response to that paragraph.

E. The guidelines for the Interrogatories sent with this Request for Documents are incorporated herein.

 DOCUMENTS AND THINGS TO BE PRODUCED

1. The recorded or transcribed statements of persons whose identity is called for in the Interrogatories propounded by this party and any such statement of the party propounding this discovery request.

2. The reports, letters or other documents prepared by any expert witness you expect to call at the trial of this matter.

3. The most recent curriculum vitae of any expert witness you expect to call as a witness at the trial of this matter.

4. The documents referring or relating to any criminal convictions of any parties to this action or persons that may be called as witnesses at trial.

5. The pictures, diagrams, drawings, images, videos or mockups, which you contend contain information relating to the facts of this case.

6. The documents referred to or identified by you in answering the Interrogatories served along with this Request for Documents and Things.

7. The documents or things received by you in response to any Subpoena issued by you.

8. The documents that contain any facts as to damages/injuries suffered/incurred by you as a result of the incident.

9. The documents and things containing facts that the Plaintiff has not suffered/ incurred the damages/injuries alleged herein.

10. The social media postings made by you or on your behalf referring or relating to the incident or your physical or mental condition after the incident.

11. The documents containing facts and/or opinions relied upon by any expert witness you expect to call at the trial/hearing of this matter. Statements made by Counsel containing opinions or impressions of Counsel may be excised.

12. The documents and things which contain facts as to how the incident in question occurred.

13. The documents or things containing facts as to the actions taken by any party to this lawsuit one hour before or one hour after the incident.

14. The documents and things containing facts as to the consumption of substances inquired into in the Interrogatories propounded by this party.

15. The policies of insurance providing coverage for you in regard to this incident, including the policy itself, the declaration sheet, and all endorsements thereto.

16. The documents and things referring or relating to any investigation of the incident, conducted in the ordinary course of business.

17. The reports or writings of any sort that you submitted to any governmental agency referring or relating to this incident.

18. If you contend that the owner of the premises where the incident occurred has not been joined to this suit, attach a copy of the deed showing the title owner on the date of the incident.

19. The management contract in effect on the date of the incident between the owner and manager of the premises.

20. The documents and things referring or relating to any incidents similar to the one which is the subject of this lawsuit, occurring within three years of the incident at the premises.

21. The documents and things referring or relating to all inspections of the premises conducted during the seven day period prior to this incident.

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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.