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: The Plaintiff

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

9. 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.

10. 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.

11. All medical reports, surgical records, mental records, financial records, bills, invoices, writings, notes or memoranda relating in any way to all of the Plaintiff's physical, mental or medical condition, illnesses, or disabilities, including but not limited to those of doctors, nurses, practitioners, hospitals, clinics, institutions, or other health care providers or private or governmental health or accident insurers, without regard to whether it is the Plaintiff's contention that such physical, mental or medical conditions, illnesses, or disabilities were caused in any way by the Defendants:

a) For a period of five (5) years before and up to the time of the occurrence alleged herein;

b) For a period of time commencing on the date of occurrence alleged herein up to and including the present date.

12. With regard to any medical or hospital records of the Plaintiff referred to in Paragraph 8 above which are in existence, but are not physically in the possession or custody of the Plaintiff or the Plaintiff's attorney, but which are in the Plaintiff's control, the Defendants request that the Plaintiff execute authorizations to each doctor or hospital where records exist, to allow the Defendants to obtain and examine copies of said records.

13. All employment records relating in any way to the Plaintiff whether employed or self-employed, including the name and addresses of all employers, the records of the date absent from work for any reason whatsoever, the records relating to the fact and duration of unemployment, the records of Workers Compensation, unemployment insurance, welfare, and applications for assistance from any governmental agency because of unemployment or ill health, and all income records for a period of five (5) years prior to the time of the alleged occurrence up to and including the present date.

14. With regard to any employment records referred to in the preceding paragraph which are in existence, but are not physically in the possession or custody of the Plaintiff or the Plaintiff's attorney, but which are in the Plaintiff's control, Defendants request that the Plaintiff execute authorizations to each such employer to allow the Defendants to examine and obtain copies of said records.

15. All photographs, sketches, or diagrams relating in any way to the allegations of the initial pleadings.

16. All State and Federal income tax returns, W-2 forms, and attached schedules:

a) For a period of three (3) years before and up to the time of the occurrence alleged herein.

b) For a period of time commencing on the date of the occurrence alleged herein up to and including the present date.

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*Counsel for \_\_\_\_\_\_\_\_\_\_\_\_\_\_, Defendant*

***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 Plaintiff*

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Brien A. Roche, Esq.