V I R G I N I A:

IN THE CIRCUIT COURT OF

Administratrix of the Estate \*

 of , deceased \*

 \*

Plaintiff \*

vs. \* Case No.

 \*

 \*

Defendant \*

 ***FIRST SET OF INTERROGATORIES TO THE PLAINTIFF***

TO: Plaintiff

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**

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. 9**

State your relationship to the decedent on the date of the death of the decedent.

**Answer:**

**INTERROGATORY NO. 10**

Were you living with the decedent at the time of his death, and if not, when did the separation occur?

**Answer:**

**INTERROGATORY NO. 11**

How many children of the decedent, if any, are now residing with you? In addition, state the names of the children and dates and places of their birth.

**Answer:**

**INTERROGATORY NO. 12**

Have you or decedent ever been involved in any other legal action, either as a plaintiff or defendant? If so, state:

a. The date and place each such action was filed, giving the name of the court, the style and number of the case, the name of each party involved and the names of the attorneys representing each party;

b. A description of the nature of each such action; and

c. The result of each such action, whether there was an appeal and the result of the appeal and whether or not such case was reported in any recognized reporter series.

**Answer:**

**INTERROGATORY NO. 13**

Identify decedent's employer.

**Answer:**

**INTERROGATORY NO. 14**

Identify the employment income of the decedent for the five years prior to his death and identify the source(s) of that income.

**Answer:**

**INTERROGATORY NO. 15**

Identify the income, whether earned or not, other than employment income, received by the decedent for the five years prior to his death and identify the source(s) of that income.

**Answer:**

**INTERROGATORY NO. 16**

State whether decedent died testate or intestate. If decedent died testate, state the county and state in which his will has been offered for probate together with the fiduciary number for such proceeding.

**Answer:**

**INTERROGATORY NO. 17**

State whether or not an inventory of the estate of the decedent has been made. If so, itemize all objects of property, real, personal, mixed, tangible or intangible, which are part of the said inventory together with the declared value of each item.

**Answer:**

**INTERROGATORY NO. 18**

Identify all physicians, specialists or clinics who have examined or treated the decedent during the period of ten years prior to the incident and set forth the dates and reasons for such examination or visit.

**Answer:**

**INTERROGATORY NO. 19**

State the names and location of all hospitals, sanitariums, clinics or similar institutions where the decedent had been treated, examined or confined during the period of ten years prior to the incident; set forth the dates and reasons for each examination, treatment or confinement.

**Answer:**

**INTERROGATORY NO. 20**

State whether the decedent had any physical handicaps whatsoever that might have affected any of his employment or occupational opportunities over the past ten years, specifically describing any difficulty as it may have existed.

**Answer:**

**INTERROGATORY NO. 21**

Did the decedent use tobacco, alcoholic beverages or narcotic substances? If so, describe the extent to which he used each, specifying the particular kind of alcoholic beverage, tobacco and narcotic substance and the average quantity consumed per week.

**Answer:**

**INTERROGATORY NO. 22**

If the answer to the preceding Interrogatory is yes, state whether the decedent ever sought or received any medical assistance in any way involving his use of tobacco, alcohol or narcotic substances, and if so, state the nature and duration of the medical problem, the identity of all medical personnel contacted, the hospital providing treatment and a description of the treatment received and the period of treatment.

**Answer:**

**INTERROGATORY NO. 23**

As a consequence of the incident, have you made any claim in any form for worker's compensation benefits, indemnity or health and accident insurance benefits? If your answer is in the affirmative, identify each such claim.

**Answer:**

**INTERROGATORY NO. 24**

Identify any other death benefits or gratuities that you have received or anticipate receiving, individually or on behalf of your children, in trust or otherwise, as a result of the death of the decedent.

**Answer:**

**INTERROGATORY NO. 25**

Do you claim damages in this action based on loss of decedent's care, guidance, advice, counsel, training, protection, society, comfort or companionship? If so, state:

a. The amount of damages claimed;

b. The method by which such amount was computed and determined; and

c. A full description of the basis for the claim.

**Answer:**

**INTERROGATORY NO. 26**

Do you claim damages based on your mental anguish, grief or sorrow resulting from the death of the decedent? If so, state:

a. The amount of damages claimed;

b. The method of computing or determining the amount of damages for such claim;

c. A detailed description of your physical and mental condition for the year immediately preceding decedent's death, including any illnesses, injuries, periods of hospitalization, visits to doctors, issue of medication and drugs, and similar information; and

d. A detailed description of your health since the decedent's death.

**Answer:**

**INTERROGATORY NO. 27**

If you are making a claim in this lawsuit for any medical or hospital expenses incurred, then itemize those in detail.

**Answer:**

**INTERROGATORY NO. 28**

If there are any other monetary damages being claimed in this lawsuit, then itemize those and state precisely how you arrived at each figure.

**Answer:**

**INTERROGATORY NO. 29**

Identify any dependents that the decedent was supporting at the time of the incident and the relationship said dependents had to the decedent.

**Answer:**

**INTERROGATORY NO. 30**

With regard to you and each dependent listed in the answer to the preceding Interrogatory, state the amount or amounts contributed each month to their respective support by the decedent for a period of ten years, indicating the date decedent began such payments.

**Answer:**

**INTERROGATORY NO. 31**

With regard to the subject matter of the two preceding Interrogatories, state the date of the last such payment in support and the amount of said payment in support with respect to each person indicated in said Interrogatories.

**Answer:**

**INTERROGATORY NO. 32**

State the approximate percentage of the decedent's annual income which he, himself, allotted to his own needs and comforts in the two years immediately prior to his death.

**Answer:**

**INTERROGATORY NO. 33**

If in fact you claim that this defendant violated any statute, rule, code, or any other standard of care which in some way contributed to this accident, state precisely what that code, rule, statute

or standard of care is and state all of the facts that you are aware of as to how this defendant violated such.

**Answer:**

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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.