

IN THE CIRCUIT COURT OF CHRISTIAN COUNTY, MISSOURI

JOHN DOE,)	
)	
Plaintiff,)	
)	
vs.)	
)	Case Number: 11CT-*****
JANE DOE,)	
)	
and)	
)	
INSURANCE COMPANY)	
Defendants.)	

**PLAINTIFF’S FIRST REQUEST FOR
PRODUCTION OF DOCUMENTS AND THINGS TO DEFENDANT JANE DOE**

COMES NOW Plaintiff, by and through his attorney of record, O’Reilly, Jensen & Preston, LLC, and makes the following *Request for Production of Documents and Things* to Defendant, to be responded to in full, and in accordance with Missouri Supreme Court Rule.

DEFINITIONS

As used herein, the following terms shall have the meaning indicated:

(a) "Document" or "documents" means any document in the custody, possession or control of plaintiff or known to plaintiff, whether printed, recorded, produced, reproduced by any process, or written or produced by hand, of any kind of description, whether sent or received or neither, including originals, copies, drafts and non-identical copies and both sides thereof, and whether or not claimed to be privileged or exempt from production for any reason, including but not limited to letters, papers, reports, agreements, contracts, opinions, estimates, communications, messages, correspondence, telegrams, mail- grams, telex messages, memoranda, inter- or intra-office communications, summaries and records and minutes and reports and recordings of telephone and other conversations and interviews and conferences and meetings, diaries,

photographs, tape and other sound and video recordings, models, lists, statistical statements, graphs, calendars, desk calendars, appointment books, laboratory reports and notebooks, charts, plans, drawings, journals, work papers, work orders, transcripts, lists of persons attending meetings or conferences, reports and summaries of consultants, appraisals, reports and summaries of negotiations, analyses, diagnoses, studies, summaries, proposals, evaluations, brochures, pamphlets, advertisements, circular's, invoices and preliminary notes, financial statements, financial records, checks, canceled checks, check stubs, bills, medical reports, computer printouts, data processing input and output, microfilms, and other records kept by electronic, photographic or mechanical means, and things similar to the foregoing, however denominated, and drafts and revisions of drafts of any document. Any comment or notation appearing on any documents which is not a part of the original text is to be considered a separate "document." If any document requested to be identified was but is no longer in your possession or control or is no longer in existence, state whether it is: (1) missing or lost, (2) destroyed, (3) transferred voluntarily or involuntarily to another, and, if so, to whom, or (4) otherwise disposed of. In each instance explain the circumstances surrounding the authorization of such disposition thereof, state the approximate date thereof and describe its contents.

(b) "You" and "your" shall mean the Defendant named above, as well as its agents, employees, attorneys, investigators and all other "persons" acting for said parties.

(c) "Refers to," "relates to" or "pertains to" any given subject when used to specify a document, communication or statement, means any document, communication or statement that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is in any manner whatsoever pertinent to that subject.

REQUESTS FOR PRODUCTION

1. Copies of any insurance policies and their declaration pages (including any umbrella or excess policies) which may provide liability coverage to you for the allegations referred to in Plaintiff's Petition.

RESPONSE:

2. A complete copy of any other, or supplemental insurance policy and their declarations pages, that may provide liability coverage against the loss claimed by the Plaintiff in this action.

RESPONSE:

3. Copies of any statements of the Plaintiff.

RESPONSE:

4. Copies of any surveillance tapes, movies, or still photographs taken of the Plaintiff at any time in your possession.

RESPONSE:

5. Copies of any videotapes, movies, or still photographs taken of any of the vehicles in connection with the allegations set forth in Plaintiff's Petition.

RESPONSE:

6. Copies of any videotapes, movies, or still photographs taken of any of the accident scene in connection with the allegations set forth in Plaintiff's Petition.

RESPONSE:

7. A complete copy of any and all statements or transcriptions of statements made by the Plaintiffs concerning the incident referred to in the Plaintiff's Petition, or concerning:

- a) Plaintiff's medical condition;
- b) Plaintiff's physical condition;
- c) Plaintiff's ability to function;
- d) Plaintiff's claim of damages;
- e) Plaintiff's ability to move;
- f) Plaintiff's ability to complete tasks;
- g) Plaintiff's ability to do work;
- h) Plaintiff's ability to do recreational activities;
- i) Plaintiff's disability;
- j) The degree of Plaintiff's disability; or
- k) Plaintiff's employability.

RESPONSE:

8. A complete copy of any incident or accident report concerning the incident referred to in the Plaintiff's Petition.

RESPONSE:

9. A copy of any photographs, diagrams and/or any other depiction of the accident scene or vehicles involved.

RESPONSE:

10. A photographic copy of the Defendant's driver's license.

RESPONSE:

11. Any photographs of any of the vehicles involved in the accident at issue depicting any property damage done to the vehicles as a result of this incident, whether taken by the defendant, his agents, his insurance company, body shop or other entity.

RESPONSE:

12. Any repair orders, estimates or work orders for damages sustained by any of the vehicles involved in the accident at issue.

RESPONSE:

13. Any photographs depicting the scene of the accident or any markings or damage to the roadway or property at the accident site.

RESPONSE:

14. Please produce a copy of any tickets or citations received as a result of this accident.

RESPONSE:

15. Please produce a copy of any inspection sheets or records for mechanical or safety inspections of the vehicle you were operating at the time of the accident or six months prior.

RESPONSE:

16. Please produce a copy of the title or registration of the motor vehicle that you were driving at the time of the accident alleged in Plaintiffs' Petition.

RESPONSE:

17. Please produce a copy of any document, which reflects any statements by Plaintiff relating to Plaintiff's alleged *injuries* as a result of the accident referred to in Plaintiffs' Petition.

RESPONSE:

18. A copy of any document or written memorabilia of any kind, which refers to any surveillance that has been done into Plaintiffs' medical condition before or after the accident referred to in Plaintiffs' Petition.

RESPONSE:

19. All medical records of Plaintiff in your possession.

RESPONSE:

20. Records of all payments by Defendant or her agents to any person or entity for surveillance of Plaintiff.

RESPONSE:

21. Any electronic data, or print out of any electronic data from any on board "black box" or other data storage or recovery system in the vehicle operated by Defendant at the time of the accident.

RESPONSE:

22. Copies of any medical or other lien concerning the Plaintiff in Defendant's possession, Defendant's attorney's possession, or Defendant's insurer's possession.

RESPONSE:

23. Provide the on board "black box" or other data storage or recovery system in the vehicle operated by Defendant at the time of the accident.

RESPONSE:

24. Please provide a copy of the cell phone bill showing calls made and received at the time of the accident or within 30 minutes before or after the accident at issue in Plaintiff's Petition.

RESPONSE:

O'REILLY, JENSEN & PRESTON, LLC

By _____
ERIC G. JENSEN
Missouri Bar No. *****

2808 S. Ingram Mill Road, Building A-104
Springfield, Missouri 65804
Telephone: (417) 890-1555
Facsimile: (417) 890-1778
E-mail: eric@ojplaw.com