

IN THE CIRCUIT COURT OF GREENE COUNTY, MISSOURI

JANE DOE,)	
)	
Plaintiff,)	
)	
vs.)	
)	Case Number 1131-*****
MISSOURI COMPANY,)	
)	
and)	
)	
INDIANA COMPANY)	
)	
Defendants.)	

**PLAINTIFF’S FIRST INTERROGATORIES TO DEFENDANT
MISSOURI COMPANY**

COME NOW Plaintiff Jane Doe, by and through her attorneys of record, O’Reilly, Jensen & Preston, LLC, and hereby propounds these Interrogatories to Defendant Missouri Company, to be answered in full, under oath, and in accordance with Supreme Court Rule.

DEFINITIONS

- (a) These Interrogatories are continuing in character so as to require you to file supplemental answers if you obtain further or different information before trial.
- (b) Where the name and identity of a person is requested please state the full name, home address, business address, and phone number, if known.
- (c) Unless otherwise indicated, these interrogatories refer to the time, place and circumstances of the occurrence mentioned or complained of in the pleadings.
- (d) Where knowledge or information in possession of a party is requested, said request includes knowledge of party's agents, representatives, and unless privileged, his attorneys.
- (e) The pronoun "you" refers to the party whom these Interrogatories are addressed.
- (f) "Identify" when used in reference to a person means to state the full name, home

address, home phone number, employer, job title, work address and work phone number of that person. If the person identified is not a natural person (e.g., a corporation), give its full name, address, nature of organization, principal place of business activity, principal business activity and state under which it was organized.

(g) "Identify" when used in reference to a document or report means to state as to each document or report the date, the general subject matter, the type of document (e.g., letter, memorandum, receipt, invoice, schedule, contract, bill of sale, etc.) the name and address of the author, the name and address of the addressee, the name and location of the files where the original and each copy is normally or presently kept, and the name and address of the present custodian thereof. As an alternative, you may produce the document or a true and correct copy thereof as long as you indicate with respect to each such document the Interrogatory to which it relates.

(h) As used herein the term "document" shall mean the original and each non-identical copy (whether different from the original because of marginal notes, or other material inserted therein, or attached thereto or otherwise) of any written or graphic matter, however produced or reproduced and including, but not limited to: papers, books, letters, correspondence, telegrams, cables, telex messages, memoranda, typed or handwritten notes, notations, work papers, transcripts, minutes, audio, visual or audio-visual recordings, reports and records of telephone or other conversations, or of interviews, conferences or other meetings, maps, charts, plans, specifications, diagrams, photographs, affidavits, statements, statistical records, lists, tabulations, summaries, sound recordings, computer print-outs, data processing input and output, microfilms, microfiche, all other records kept by computer, or on computer programs, electronic, photographic, or mechanical means, and items similar to the foregoing and/or items from which information can be obtained, translated if necessary, through the use of detection devices into reasonably usable form. If any

tape, disc, card, wire, or other electronic or mechanical recording or transcript or any computer program is produced, you shall also produce such documents as are necessary for decoding, playing back, printing out and/or interpretation thereof, and any other documents which are necessary to convert such information into a usable and useful format.

INTERROGATORIES

If you assert a privilege with regard to any interrogatory or request for production of documents, please submit a privilege log to identify any documents alleged to be privileged, and a description of the document and privilege relied upon.

1. Please list each and every employee or agent of this Defendant who was responsible for snow plow and/or removal on January 31, 2009. For each person, please state:

- a. Name;
- b. Job title;
- c. Hours worked on January 30 and 31, 2009;
- d. Salary or hourly wage;
- e. Job duties;
- f. Whether they had direct contact with Plaintiff on January 30 and 31, 2009;
- g. The current address of such employee; and
- h. If current information is not known, the last known address of each employed identified in this Interrogatory.

ANSWER:

2. Please list each and every employee or agent of this Defendant who performed snow plow and/or removal on January 31, 2009. For each person, please state:

- a. Name;

- b. Job title;
- c. Hours worked on January 30 and 31, 2009;
- d. Salary or hourly wage;
- e. Job duties;
- f. Whether they had direct contact with Plaintiff on January 30 and 31, 2009;
- g. The current address of such employee; and
- h. If current information is not known, the last known address of each employed identified in this Interrogatory.

ANSWER:

3. Please list and every employee or agent of this Defendant who had direct contact with Plaintiff on either January 30 or 31, 2009, and for each person identified, please state:

- a. Job title;
- b. Hours worked on January 30 or 31, 2009;
- c. Salary or hourly wage;
- d. Job duties;
- e. The current address of such employee; and
- f. If current information is not known, the last known address of each employed identified in this Interrogatory.

ANSWER:

4. Please state the name, address, and job title of any employee or agent of this Defendant from whom Plaintiff asked for assistance after her fall on January 31, 2009.

ANSWER:

5. Please state the name, address, and job title of each employee or agent of this Defendant who is directly above or supervisory to the employee(s) or agent(s) identified in the previous Interrogatory.

ANSWER:

6. Identify any document written, created, filled in, produced, or utilized to document the slip and fall incident suffered by Plaintiff on January 31, 2009.

ANSWER:

7. Please state where any document identified in the previous Interrogatory can be found.

ANSWER:

8. Please state the name and address of any outside third party entity or individual hired by this Defendant who was responsible for snow plow and/or removal on January 31, 2009.

ANSWER:

9. Please state the name, address, and job title of any employee or agent of this Defendant who came to Plaintiff's aid after she slipped and fell on January 31, 2009.

ANSWER:

10. For each employee who responded to Plaintiff's slip and fall, please state their name, address, and job title, and the length of time it took for each to come to Plaintiff's aid.

ANSWER:

11. After Plaintiff fell, please state the name, address, and job title of each and every employee of this Defendant who spoke with Plaintiff.

ANSWER:

12. Please state the name, address, and job title of each and every employee of Defendant who helped move or transport Plaintiff from the parking lot where she fell.

ANSWER:

13. Please state with specificity:

- a. Where Plaintiff was in the parking lot when she fell;
- b. The location of each snow pile on January 31, 2009;
- c. The distance of each snow to the doors to the facility;
- d. The names of any other person who reported slipping and falling in the parking lots on January 31, 2009;
- e. For each person identified in the previous sub-part, whether they suffered injuries;
- f. Whether the snow and ice where Plaintiff fell was moved, salted, sanded, or otherwise remedied after Plaintiff fell; and
- g. If you answer to the previous sub-part is "Yes," how much time elapsed between the Plaintiff's fall and when the condition was remedied.

ANSWER:

14. Please state the name, address, and job title of any employee or agent of this Defendant, not identified in any previous Interrogatory, who has any information whatsoever regarding the slip and fall incident suffered by Plaintiff on January 31, 2009, or the response and remedy actions taken by any employee or agent of the Defendant after the slip and fall incident.

ANSWER:

15. Please provide the name, address, and job title of any person who prepared any documentation regarding the slip and fall suffered by Plaintiff on January 31, 2009.

ANSWER:

16. Please state the name, address, and job title, of any employee or agent of this Defendant whose name or signature appears on any form or document, record, or memorabilia of any kind which discusses the slip and fall incident suffered by Plaintiff on January 31, 2009.

ANSWER:

17. Please state the name, address, and job title, of any employee or agent of this Defendant who was notified, either by Plaintiff, or by anyone else, that Plaintiff had slipped and fallen in the parking lot on January 31, 2009.

ANSWER:

18. Please state, at the time Plaintiff reported that she had fallen in the parking lot on January 31, 2009, what her condition was, including:

- a. Whether she was able to stand without assistance;
- b. Whether she was able to walk without assistance;

- c. Whether she was able to communicate that she had fallen on ice;
- d. Whether she was oriented to time and place;
- e. Whether she was able to use her upper extremities;
- f. Whether she was able to transport herself from the scene, and if not, how she was transported; and
- g. The name, address, and job title, of any employee or agent of this Defendant who has knowledge of the answers to this Interrogatory.

ANSWER:

19. Please state the name of any company or entity which owns, operates, controls, or has any interest in this Defendant.

ANSWER:

20. Please state the name of any company or entity which owns, operates, controls, or has any interest the company identified in the previous Interrogatory.

ANSWER:

21. Please state whether any corporation or entity, not previously mentioned in these Interrogatories, is the proper party to be sued for acts of negligence committed by this Defendant, its employees, or its agents.

ANSWER:

22. Please state the name, address, and job title of any employee of Defendant who was responsible for creating, implementing, administering, supervising, or otherwise had a say in this Defendant's policies and procedures concerning snow and ice removal on January 31, 2009.

ANSWER:

23. Please state the name, address, and job title of any employee of this Defendant who had direct contact with Plaintiff on January 31, 2009 before the slip and fall.

ANSWER:

24. Please state the name, address, and job title of any employee of this Defendant who had direct contact with Plaintiff on January 31, 2009 during the slip and fall.

ANSWER:

25. Please state the name, address, and job title of any employee of this Defendant who had direct contact with Plaintiff on January 31, 2009 after the slip and fall.

ANSWER:

26. State whether any policy or policies of insurance (including any umbrellas or excess policies) exist which may provide coverage to this Defendant for any liability which may arise as a result of the incident referred to in Plaintiff's Petition and, if so, for each such policy, state the following:

- (a) The name and address of the insurer;
- (b) The policy number;
- (c) The amount of liability insurance coverage afforded by each such policy;

- (d) The name and address of each and every named insured under such policy; and
- (e) Whether any such insurer is defending you in this matter under a reservation of rights.

ANSWER:

27. Please state the name of any company which carries an insurance policy, which would insure any negligent actions or omissions of Indiana Company, on January 31, 2009.

ANSWER:

28. Identify each retained expert witness, including employees of the Defendant, whom you expect to call at trial to provide expert witness opinion testimony. For each witness, please state:

- a. The expert's full name;
- b. The expert's full address;
- c. The expert's occupation;
- d. The expert's place of employment;
- e. The expert's qualifications to give an expert opinion;
- f. The general nature and subject matter on which the expert is expected to testify;
- g. The expert's hourly deposition fee; and
- h. Please attach a copy of the expert's *curriculum vitae*.

ANSWER:

29. Identify each non-retained expert witness, including employees of the Defendant, whom you expect to call at trial to provide expert witness opinion testimony. For each witness, please state:

- a. The expert's full name;
- b. The expert's full address;
- c. The expert's occupation;
- d. The expert's place of employment;
- e. The expert's qualifications to give an expert opinion;
- f. The general nature and subject matter on which the expert is expected to testify;
- g. The expert's hourly deposition fee; and
- h. Please attach a copy of the expert's *curriculum vitae*.

ANSWER:

30. Please state the name and address of any person who was injured specifically due to slipping and falling on this Defendant's premises, from January 20, 2009 to February 28, 2009.

ANSWER:

31. Please state the name, address, or last known address of any person who filed a written demand or a written complaint alleging injury, specifically due to slipping and falling on this Defendant's premises, from January 1, 2004 to the present.

ANSWER:

32. Please identify and describe any policy or written procedure of any kind of this Defendant, which was in place before January 31, 2009, concerning the removal, plowing, salting, sanding, or other treatment of snow and ice.

ANSWER:

33. Please identify and describe any policy or written procedure of any kind of this Defendant, which was in place after January 31, 2009, concerning the removal, plowing, salting, sanding, or other treatment of snow and ice.

ANSWER:

34. Was any employee or agent of this Defendant disciplined or reprimanded in any way, or terminated, as a result of slip and fall incident suffered by Plaintiff on January 31, 2009? If so, please state:

- a. The name, address, and job title of the individual disciplined;
- b. The name, address and job title of the individual who was responsible for handing down the discipline;
- c. What the discipline was (i.e. time-off without pay, demotion, termination, cancellation of contract, etc.);
- d. The date the discipline took place; and
- e. The name of any person who was present when the discipline took place.

ANSWER:

35. Please state whether this Defendant has a contractual relationship concerning ownership, management, or control of this Defendant, its operations or employees, by Defendant Indiana Company. If the answer is “yes,” please attach a copy of any responsive contract to this Interrogatory answer, and identify:

- a. Whether the employees working at this Defendant’s Springfield, Missouri location are employees of this Defendant or of Defendant Indiana Company;
- b. Whether the employees working at this Defendant’s Springfield, Missouri location are paid by Defendant or by Defendant Indiana Company; and
- c. Whether the employees working at this Defendant’s Springfield, Missouri location are issued 1099 forms or W-2’s for earnings by this Defendant or by Defendant Indiana Company.

ANSWER:

36. Please state whether this Defendant owns any shares of Defendant Indiana Company, and if so, how many shares, and the percentage of the total.

ANSWER:

37. Please state whether this Defendant holds an option to own any shares of Defendant Indiana Company.

ANSWER:

38. Please list the names of all the members of this Defendant.

ANSWER:

39. Please list the names of all the directors of this Defendant.

ANSWER:

40. Please list the names of all the shareholders of this Defendant.

ANSWER:

41. Please list the names of all members of the Board of Directors of this Defendant.

ANSWER:

42. Please list the names of all the officers of this Defendant.

ANSWER:

43. Please list the names of all the human resources personnel of this Defendant.

ANSWER:

44. Please list the names of all the managers of Defendant Indiana Company.

ANSWER:

45. Please list the names of all the members of Defendant Indiana Company.

ANSWER:

46. Please list the names of all the directors of Defendant Indiana Company.

ANSWER:

47. Please list the names of all the shareholders of Defendant Indiana Company.

ANSWER:

48. Please list the names of all members of the Board of Directors of Defendant Indiana Company.

ANSWER:

49. Please list the names of all the officers of Defendant Indiana Company.

ANSWER:

50. Please list the names of all the human resources personnel of Defendant Indiana Company.

ANSWER:

O'REILLY, JENSEN & PRESTON, LLC

By _____

ERIC JENSEN
Missouri Bar No. *****

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