

## GENERAL INSTRUCTIONS

1. All information is to be divulged that is in your possession, custody or control or that of your attorneys, investigators, agents or other representatives. In answering, you must furnish all information available.
2. If you cannot answer an interrogatory in full and you have exercised thorough diligence in an attempt to secure the information requested, then you must so state. You must also explain to the fullest extent possible the specific facts concerning your inability to answer the interrogatory and supply whatever information or knowledge you have concerning any unanswered portion of an interrogatory.
3. If your answer to any interrogatory is "unknown", "not applicable" or any similar phrase or answer, state the following:
  - a) Why the answer to that interrogatory is "unknown";
  - b) The efforts made to obtain answers to the particular interrogatory; and
  - c) The name and address of any person who may know the answer.
4. Where an interrogatory requires you to state facts you believe support a particular allegation, contention, conclusion or statement, set forth with particularity:
  - a) All facts relied upon;
  - b) The identify of all lay witnesses who will or may be called to testify with respect to those facts; and
  - c) The identify of all experts who will or may be called to testify with respect to those facts.
5. If you contend that the answer to any interrogatory is privileged, in whole or in part, or if you object to any interrogatory, in whole or in part, state the reasons for such objections and identify each person having knowledge of the factual basis, if any, on which the privilege is asserted.
6. A space has been provided on the form of interrogatories for your answer. In the event the space provided is not sufficient for your answer to any of the questions, please attach a separate sheet of paper setting forth the questions followed by the additional answering information.
7. Where an individual interrogatory calls for an answer which involves more than one part, each part of the answer should be clearly set out so that it is understandable.
8. These interrogatories are intended as continuing interrogatories which require that you supplement your answers setting forth any information within the scope of the interrogatories as may be acquired by you, your agents, attorneys, or other representatives following the service of your original answers.

## **DEFINITIONS**

1. "You", "your" and "yourself" refer to the party to whom the following interrogatories are addressed, and its agents, representatives, officers, directors and employees.

2. "Person" means natural persons, firms, proprietorships, associations, partnerships, corporations and every other type of organization or entity.

3. "Anyone acting on your behalf" means all persons including your agents, employees, insurance company, their agents or employees, your attorneys, investigators or consultants.

4. "Document" refers to any physical thing containing information or from which information can be discerned including, without limitation, any affidavit, agreement, appraisal, bid, book, book of account, check, contract, correspondence (sent or received), deed, disposition, diagram, diary, drawing, instrument, invoice, lease, ledger, memorandum, memorandum of lease, note, notes of conversations (typed or written), outline, partnership agreement, paper pamphlet, photograph, receipt, recording (whether or not transcribed), report, statement, study, transcript, visual depiction, voucher, and other such physical objects and things, whether internal documents, facsimile transmittals and/or receipts, and electronic mail.

5. "Custodian" of a document means the person having possession, custody or control.

6. "Identify" as used herein with respect to a "document" shall be read to require that you attach a copy of the document along with a statement of all of the following information relative to such document:

- a) Title;
- b) Nature and subject matter;
- c) Date;
- d) Author;
- e) Addressee;
- f) File number or other identifying mark or code;
- g) Identification of custodian;
- h) Location of original.

7. "Identify as used herein with respect to any "individual" shall be read to require a statement of all of the following information pertaining to such individual:

- a) Full legal name;
- b) Present home address;
- c) Present home telephone number;
- d) Employer;
- e) Present or last known business address;
- f) Business telephone number;
- g) Job description;
- h) Title.

8. "Identify" as used herein with respect to any "entity other than an individual" shall be read to require a statement of all of the following information relating to such entity:

- a) Full name or title;
- b) Principal place of business or other activity;

- c) Place of incorporation (if applicable);
- d) Date of formation;
- e) Names of any predecessor or successor corporations or other business entities
- f) Nature or type of entity;
- g) Principal business or other activity.

9. "Identify" as used herein with respect to any "conversation, or communications, including any telephone conversations, or meeting" shall be read to require a statement of all of the following:

- a) The date on which it occurred;
- b) The identify of each and every person who was present or who participated;
- c) the place at which it occurred, or, in the case of a telephone communication, the location of each party;
- d) Its substance;
- e) The identity of all notes, memoranda or other documents memorializing, referring to the subject matter of the statement [provide copies of each].

10. The "subject incident" or the "occurrence" refers to the accident, incident or occurrence which is alleged in the plaintiff's complaint unless the context otherwise indicates.

11. The "subject premises", "premises", or "Accident site", means the place where the subject incident took place according to the complaint.

12. Each request to identify or produce a document or documents shall be deemed to call for the identification or production of the original documents or documents to the extent that they are in or subject to, directly or indirectly, the control of the party to whom these interrogatories are addressed. In addition, each request should be considered as including a request for separate identification or production of all copies and, to the extent applicable, preliminary drafts of documents that differ in any respect from the original or final draft or from each other (e.g., by reason of differences in form or content or by reason of handwritten notes or comments having been added to one copy of a document but not on the original or other copies thereof).