

THE STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF GREENVILLE)	THIRTEENTH JUDICIAL CIRCUIT
Latorre M. Choice as the Personal)	
Representative of the Estate of)	
Elex R. Paul a/k/a Alex R. Paul)	
)	
Plaintiffs,)	
)	PLAINTIFF'S FIRST SET OF
vs.)	INTERROGATORIES TO
)	DEFENDANT SAMUEL J. BROWN
Samuel J. Brown, by and through his)	
Guardian ad Litem, Lisa Richardson Mobley)	
and Benton Express, Inc.)	
)	
Defendants.)	
_____)	

TO: DEFENDANT SAMUEL J. BROWN:

The Plaintiffs hereby serve the following Interrogatories, pursuant to Rule 33 of the South Carolina Rules of Civil Procedure, to be answered by the Defendant Lisa Richardson Mobley, as Guardian ad Litem for Samuel J. Brown (hereinafter known as "Brown"), in writing, and under oath within forty-five (45) days from the date of service hereof.

DEFINITIONS

As used in these Interrogatories and any Supplemental Interrogatories in this case, the following shall be the meaning and sense in which each term is used:

A. "Document" shall include without limitation:

(1.) Every writing or record of every type and description that is *or has been* in the possession, custody or control of the said Defendant, his agents, representatives or attorneys, or of which the Defendant has knowledge, including, but not limited to, correspondence, e-mails, jpg files, data files, memoranda, tapes, stenographic or handwritten notes, studies, publications,

books, pamphlets, databases, photographs, facsimile copies, CD Roms, laser imaged copies or facsimiles, computer files, computer data in any form, computer printouts, films, recordings, maps, models, plats, graphs, diagrams, reports, surveys, minutes and/or statistical compilations.

(2.) Every copy of such writing or record where the original is not in the possession, custody or control of the Defendant, including documents stored as electronic documents, imaged upon CD Rom or stored by facsimile in any other manner and every copy of such writing or record where such copy is not an identical copy of the original, or where such copy contains any commentary or notation whatsoever which does not appear on the original.

B. "Person" shall mean any individual, firm, partnership, corporation, proprietorship, association, governmental body, or any other organization or entity.

C. "Date" or any other word relating to a date shall mean the exact date, month and year if ascertainable or if not, the best available approximation.

D. "Identify" or "Identity," when used in reference to:

(1.) An individual, shall mean to state: his or her full name, age, sex, present address or last known address, telephone number, job title, physician or professional or business affiliation, social security number and name of employer.

(2.) A firm, partnership, corporation or other entity shall mean to state: its full name and last known address, telephone number and the legal form of such entity or corporation.

(3.) A document or exhibit: shall mean to give a brief description of the document either by its title, or if it has no title, its content, to give the date of preparation as shown on the document and to give the name, address and position of the custodian thereof.

INTERROGATORIES

1. Identify the person or persons who answered, who helped answer, and/or who provided the information to answer these Interrogatories and accompanying Requests for Production.

2. Identify all persons known to the Defendant or Defendant's counsel to be witnesses concerning the facts of the case and indicate whether or not written or recorded statements have been taken from the witnesses, and indicate who has possession of such statements and set forth a summary sufficient to inform the other party of the important facts known to or observed by such witness.

3. List the names and addresses of all expert witnesses whom the Defendant proposes to use as a witness at the trial of this case and for each expert set forth the witness's area of expertise, the substance of the facts and opinions to which the witness is expected to testify, and the specific grounds for each such opinion.

4. Identify all physical evidence, photographs, plats, sketches, videotapes, audiotapes, drawings, artist's renditions, diagrams, notes, measurements, statements or other documents or materials now or previously in the possession, custody or control of the Defendant Brown that relate to any claim or defense in this case.

5. Set forth the names and addresses of all insurance companies with which Defendant Brown had motor vehicle liability insurance and/or umbrella liability insurance and set forth the number or numbers of the policies involved and the amount or amounts of coverage provided in each policy.

6. Set forth a summary, including caption, date of filing and docket number for each legal action brought against Defendant Brown in the five (5) years prior to the accident that is the

subject of this case alleging Defendant Brown to be at fault in a motor vehicle accident.

7. Set forth a detailed chronology of the route of Defendant Brown during the three (3) month period prior to the subject accident through the date of the subject accident, including each pickup and delivery with pickup and delivery addresses, dates and times noted.

8. Identify by entity and list by time and date the origin and termination point of the trip on which Samuel J. Brown embarked on the date of the accident which is the subject of this action.

9. Please set forth a complete driving record of driver Brown, *including* a list of all accidents and violations and citations of state or federal laws or regulations, including log book and/or equipment violations, setting forth date of accident or citation, brief description of accident and/or nature of citation or violation, state of violation or citation, specifically to include a narrative summary of *all* of the information requested for a period of 10 years.

10. Describe the relationship between Samuel J. Brown and Benton Express, Inc. on March 26, 2009.

11. List Defendant Brown's places of employment, including full names, addresses, and telephone numbers for said employers for the past ten years.

12. Identify all persons who, on behalf of any of the Defendants, went to the scene of the subject accident on March 26, 2009, including all attorneys, experts, company personnel, and any and all other persons who were present at said scene on said date.

13. List all states in which Defendant Brown was issued a driver's license during the ten years prior to March 26, 2009.

14. At the time of the accident that is the subject of this suit was there a co-driver or passenger in the vehicle with Defendant Brown? If so, state that person's name, address, and the

capacity in which s/he was present in the vehicle at that time.

15. Identify all individuals, firms, partnerships, corporations and other entities by whom/which and/or for whom/which Defendant Brown was an agent, servant and/or employee on the date of the accident that is the subject of this suit and set forth as to each whether he was an agent, servant and/or employee.

16. Please list all criminal convictions of Defendant Brown for a period of ten (10) years prior to March 26, 2009, and set forth the nature of the offense together with the state and year in which Defendant Brown was convicted, if any.

17. Give a detailed statement as to the current state of Defendant Brown's health, including, but not limited to, whether he is able to speak and whether he is able to give deposition testimony. If he is not able to give deposition testimony, give a detailed explanation as to why not.

18. Identify by name, address and speciality, any and all medical providers who are currently providing care and/or services to Defendant Brown.

19. State whether, on March 26, 2009, Defendant Brown had a cellular telephone and if so, state the name of the company providing service for same; the telephone number of same; and the name in which the account for same was held.

20. State whether Defendant Brown was using a cellular telephone, Citizens Band radio, or other communication device at any time on March 26, 2009 between the time he initiated the trip that ended in the accident which is the subject of this complaint, and the time he left the scene of the accident. If so, identify the type of communication device, the person or persons he communicated with, and give a detailed account of the content of such communication.

21. State the manner in which Brown contacted persons at Defendant Benton after the

collision occurred; state the name and address of each such person he contacted and their position with Defendant Benton as of March 26, 2009; and state the time he contacted each such person.

22. State the name, address and specialty of each and every medical provider who treated or rendered medical services to Defendant Brown for a period of five (5) years prior to March 26, 2009 and through that date.

23. State the name, dosage, prescribing physician, and pharmacy from which the prescription was filled, for each and every prescription medication prescribed to Defendant Brown as of March 26, 2009 and for a period of one (1) year prior to March 26, 2009.

24. Had Defendant Brown taken any prescription or over-the-counter medication in the twenty-four (24) hours prior to the accident? If so, list the name of the medication, the dosage, the physician who prescribed the medication, the condition for which the medication was taken, and the date and time of each dosage taken during this time period.

25. Had Defendant Brown consumed any alcoholic beverages in the twenty-four (24) hours prior to the accident? If so, state the type of beverage, the amount, and when it was consumed.

26. State, for the thirty-six (36) hours prior to the occurrence of the accident, the specific times and lengths of time that Defendant Brown slept and for each such occurrence, where he slept?

27. State the place of birth, date of birth and Social Security number of Defendant Brown.

28. State the name, address and relationship to Defendant Brown, of Defendant Brown's current primary caregivers.

McWHIRTER, BELLINGER & ASSOCIATES, P.A.
Attorneys for Plaintiff

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